

A DESCRIPTIVE STUDY
OF NEW JERSEY'S SYSTEM FOR
EXTERNAL FOSTER CARE CASE REVIEW

Louise Murray

Submitted in partial fulfillment of the requirements
for the degree of Doctor of Social Welfare
in the School of Social Work

COLUMBIA UNIVERSITY
1982

D. S. W. converted to Ph. D. in 2011

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ABSTRACT

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LOUISE MURRAY

Effective October 1, 1978, New Jersey mandated independent review of all out-of-home placements supervised and approved for payment by the Division of Youth and Family Services (DYFS). The law authorized each county's Superior Court Assignment Judges to appoint five-member Child Placement Review Boards who must make recommendations to the judge within 45 days of the child's entry into care; all cases must be reviewed at least annually.

Semi-structured telephone interviews with members of 36 Boards and 26 persons from DYFS some two years after review was implemented indicated that the Boards varied greatly in the degree to which they exercised their authority. Boards which assumed an independent role were more likely to 1) require DYFS workers to give testimony on all cases; 2) meet weekly; 3) review at least 12 cases at each meeting; 4) have contact with their judge; and 5) reschedule cases before the next mandated annual review. This latter practice, commonly known as "re-review" or "relist", probably did more to demonstrate the Boards' independent role than formal disagreements with DYFS. Formal disagreements were relatively infrequent, presumably because most children were in the only care arrangement possible. Re-review, on the

other hand, recognized the impracticability of immediate return home or adoption but held DYFS accountable for taking timely action to ensure permanence for children.

The study described the various ways local DYFS offices prepared for review and local Board-DYFS relationships.

The impact of review was considered by eliciting respondents' assessments of review. All 36 Board respondents and all but four DYFS respondents felt that DYFS gave more careful attention to case planning because they knew they would have to report to an outside body. Fourteen Board respondents and 24 DYFS liaisons identified at least one disadvantage.

The study concludes with an endorsement for independent review and offers recommendations for strengthening it. The study recommends that further research be undertaken to more rigorously study the effects of review.

ACKNOWLEDGEMENTS

I am most grateful to my advisor, Professor David Fanshel, for his suggestions in approaching this study and for his insights in interpreting my findings. I considered it a privilege to work with him.

At the time I was selecting a project to fulfill the requirements for doctoral study, I had the good fortune to meet Dr. Melvin Herman, Visiting Professor at Columbia. Dr. Herman has a longstanding interest in external review mechanisms and he was most encouraging that I undertake this project. He also put me in contact with Bernice L. Manshel, Director of New Jersey's Division of Youth and Family Services (DYFS); Richard O'Grady, Deputy Director of DYFS and Virginia Coon, DYFS Central Office Coordinator for Child Placement Review. All three were most helpful and Mrs. Manshel made it possible for me to interview key DYFS people at the county level.

Special thanks to the Board members and DYFS personnel who gave of their time to be interviewed. I also appreciate the invitation extended by Corrine F. Driver, Chairperson of

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the Child Placement Advisory Council, inviting me to the two conferences sponsored by the Council.

And finally to my family and friends. Ruth Apgar for typing; my husband, Tom Hoffman, who is also a survivor of doctoral study and, my son, Charles. Indeed Charles was most cooperative both in his timing into the world and by being a good sleeper.

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CHAPTER I

INTRODUCTION: BACKGROUND OF NEW JERSEY'S SYSTEM OF CHILD PLACEMENT REVIEW

Wide spread recognition of the large numbers of children entrapped in foster care has led to various efforts to improve child welfare services. In the last decade, there has been an increasing interest in strengthening services to families so that placement can be averted. Concurrently, there has also been interest in facilitating adoption for children whose families cannot resume care rather than having them remain in indeterminate long term foster care. Whereas heretofore adoption was generally considered only for healthy, white infants whose mothers surrendered them at birth, today adoption is the plan of choice for most children whose families cannot resume care.

The emergence of state mandated formal systems for foster care review is another response reflecting the dissatisfaction with foster care. To date, approximately 20 states require the judiciary to assess the appropriateness of the public child welfare agency's (or that of its designee) case plan;¹ while other states, such as South

¹ Jan Park Cutler and Richard W. Bateman, "Foster Care Review: Can It Make a Difference?", Public Welfare, Vol. 39, No. 4, (Fall 1980) pp. 45-51.

Carolina and Maryland, have established citizen panels to monitor case planning.¹ A few state public child welfare programs have developed administrative review systems which reflect a form of self-monitoring. In these instances, the traditional caseworker/supervisor review of case plans has been expanded, so that agency staff who are not directly responsible for service delivery are included in periodic assessments of each child's plan.²

Despite considerable variety in these systems, they share the common characteristic of serving as a "quality-control" mechanism to ensure that children do not remain unnecessarily in foster care for protracted periods of time. Moreover, the judicial and citizen panel review systems also imply that society has lost faith in the public agency's ability to provide appropriate services. While societal disfavor with bureaucracies is certainly not unique to child welfare service systems, the development of procedures for independent review does signify a significant shift in the public's attitude about professional autonomy in this service area.

Rather than allow the child welfare professionals to have carte blanche in making case assessments and providing

¹ Jon R. Conte, Shirley M. Buttrick, Gaylord Gieske, A Qualitative Evaluation of Citizen's Review Board's in Four States, (Mimeo) Center for Social Policy and Research, University of Illinois at Chicago Circle and League of Women Voters of Illinois, January 1981.

² Cutler, op cit, p. 45.

service, the public seeks to impose detailed scrutiny of all major decisions affecting children in foster care. Although most advocates are hopeful that such intensive monitoring will be a force for permanence planning, some are pessimistic that a sluggish system can change for children.

Those who are less hopeful about the benefits of independent review point out that concern about "turf" problems may preclude bringing into being any real improvements in foster care service. The ability of outside monitoring systems to effect systemic reform is a matter of concern and helped motivate the study to be reported here.

To date, there is one major study which has examined how children have fared by having their cases reviewed. The quasi-experimental study, reported by Festinger,¹ followed a sample of 426 children in New York City four years after the state mandated judicial review in 1971. The study concluded that outside review had stimulated permanence planning primarily because a significant number of pre-school aged children were adopted as an apparent consequence of the review process.

Virtually all those who favor independent review argue that a primary advantage of the introduction of such oversight activity is its "sentinel effect". That is, by requiring workers to document their case plans to an outside

¹ Trudy Bradley Festinger, "The New York Review of Children in Foster Care", Child Welfare, LIV, 4 (April 1975), pp. 211-244.

body, they are forced to be more thoughtful and thorough about case planning. It is hoped that as a result of having to report to an outside body agencies will feel impelled to deliver more intensive service to children and families.¹

The federal government has evidently become impressed with the merits of formal foster care review. In 1980, Congress passed PL 96-272, which requires a review, open to the participation of the parents of the foster child, be conducted at least every six months. It also mandates that a dispositional hearing be held within 18 months of the original placement. The law further specifies that at least one person not responsible for service delivery to either the child or the parent serve on the review panel.

This study describes New Jersey's experience with independent case review. Effective October 1, 1978, the State of New Jersey mandated such review of all out-of-home placements supervised and approved for payment by the state's public child welfare agency, the Division of Youth and Family Services (DYFS). The New Jersey law, commonly known as the Child Placement Review Act (CPRA), requires a designated judge in each county Juvenile and Domestic Relations (JDR) Court to determine whether the out-of-home placement is in the child's best interests. This hearing must take place within 15 days of a child's entry into care.

¹ Conte, op cit.; Barbara Chappell, "Organizing Periodic Review in Foster Care. The South Carolina Study," Child Welfare, LIV, 7 (July 1975) pp. 482-486.

The law also requires the Superior Court Assignment Judge to appoint a five-member citizen review board, one for each judge. It is expected that these Child Placement Review Boards will be representative of the community with respect to their racial, religious, economic and geographic composition. For new cases, the Board must review placement within 45 days after a child enters care. It is further required that all cases be reviewed at least annually. At these reviews, the Board must consider the appropriateness of the plan promulgated for the child, and whether the actions undertaken by DYFS are consonant with the specified plan. In both the 45-day and annual reviews, the Child Placement Review Boards are required to make a recommendation to the JDR Court, which has the final authority to approve or disapprove the plan. It should be noted that the law allows that a parent, a child or the DYFS disagreeing with a Board recommendation may request a summary hearing before the judge who makes the final decision.

The act also allows considerable autonomy to the JDR judges in the manner of implementing child placement review. The judiciary is responsible for developing procedures for processing cases. In the various counties, judges have established protocols for reporting to the Board and for determining priorities for scheduling cases for review. It is of interest that some judges have interpreted the law as granting them authority to appoint a staff to conduct independent assessments of cases; this makes it possible for the

Child Placement Review Board not to have to rely solely on the public service agency (DYFS) for all information about cases being reviewed.

Another provision of the law calls for the establishment of a statewide Child Placement Advisory Council composed of a representative of each local Board. The Council is responsible for making recommendations to the New Jersey Supreme Court, the Legislature, and the Governor concerning policies, practices and procedures related to 1) the operation of Review Boards, 2) the role of DYFS with regard to children in placement, and 3) the manner of training Board members.¹

The enabling legislation of 1978 resulted from rather turbulent political negotiations and most observers have remarked that the law struck a compromise among the various factions who had favored diverse approaches to the review process.

The impetus for New Jersey's child placement review system began in 1973 when a coalition of adoptive parents and other concerned individuals supported legislation mandating judicial review of the cases of children in out-of-home placement. It was generally felt that judicial review would enable more children to be legally freed for adoption and that planning for all children would be improved as a

¹ Laws of the State of New Jersey for the Second Annual Session, 1977, Chapter 427, 30:4C:5D.

result of independent judicial review. Legislation was introduced by Senator Alexander J. Menza, but the legislation was not enacted because an agreement was reached that the Division of Youth and Family Services (DYFS), which opposed judicial review, would institute an administrative review system to monitor and track all out-of-home-placements.¹

In the fall of 1974, DYFS instituted its own internal audit to review the need for continued care of some 12,000 children in out-of-home-placement. Caseworkers were required to submit forms specifying planning objectives and progress achieved towards planning goals for all children to a central office within DYFS. These data were computerized and cases where goals were unspecified or where case activity was not consonant with planning goals were "flagged" for further attention. For a myriad of reasons, including staff's inability to supply reliable data and lack of resources within the review audit office, this mechanism for internal agency review was unable to accomplish its original objective of strengthening agency efforts to achieve permanent planning for DYFS youngsters in out-of-home-placements.²

¹ Linda J. Wood and Ciro Scalera Description of the Child Placement Review Act, Montclair, New Jersey: Citizens' Committee for Children of New Jersey. (Now located in Newark and known as the Association for Children of New Jersey) (Mimeo) n.d.

² Eugene Clayburn and Steven Magura, "Administrative Case Review for Foster Children", Social Work Research And Abstracts, 14:1 (Fall 1978) pp. 34-40.

Concurrent with mounting interest in independent review, there were continuous exposes in New Jersey's largest newspaper alleging fiscal and operational mismanagement within the Division of Youth and Family Services. On December 19, 1975, in response to public concern, Governor Brendan Byrne appointed Walter Wechsler, a former State Budget Director, as head of a Task Force whose purpose was "to reform the fiscal, managerial and operational affairs within the Division of Youth and Family Services".¹

The Task Force published a sixteen volume report in December 1976. Among its recommendations was a proposal for clerical reforms to reduce paperwork so that caseworkers could spend more time in direct service to clients. In addition, the Task Force proposed that more authority be shifted from the highly structured Central Office located in the state capital to Regional Offices. In subsequent months, the county District Offices were grouped into geographical regions and four Regional Offices were established. Later, adoption services were transferred to the Regional Offices. It was considered advantageous to place adoption services within a larger geographic framework in order to facilitate recruitment of permanent homes for "hard to place youngsters" and to ensure

¹ Report to the Honorable Brendan T. Byrne, Governor of the State of New Jersey, prepared by Walter Wechsler, appointed to Reform Fiscal Management Affairs on the Division of Youth and Family Services, December 1976, Management Summary Vol. 1, p. 1.

that the needs of youngsters eligible for adoption were not ignored.

Under the prior administrative arrangement, DYFS caseloads included protective cases as well as children in foster care and adoption placement. It was generally agreed that adoption work was accorded a low priority when workers frequently had to take immediate action on the increasing number of protective cases which often involved life and death situations. To ensure that sustained efforts would be made to secure permanent homes for children unable to be returned to their families, it was decided to reassign some workers to specialized adoption caseloads. They could thus devote full attention to the needs of youngsters requiring substitute permanent homes.

Another recommendation of the so-called "Wechsler Report" was that New Jersey should take advantage of federal monies available for AFDC youngsters requiring foster placement (Section 408 of the Social Security Act). In order to obtain this federal funding, however, these youngsters' need for placement had to be determined by a judicial proceeding. The Wechsler Report strongly urged that the state institute such a proceeding in order to reduce expenditures for foster care.

In January 1977 New Jersey Supreme Court Chief Justice Richard Hughes publicly supported the concept of judicial review of foster placements. It is generally agreed that the endorsement by such a prestigious judicial figure pro-

vided additional impetus to the mounting public interest in establishing independent review of DYFS placements.

By 1977 it seemed inevitable that a combination of political forces would prevail and that judicial review of foster care cases would be instituted in New Jersey. At the same time, DYFS leadership changed and the new Director decided to come out in favor of review so that DYFS could exert some leverage in developing a mechanism for the proposed innovation.

DYFS opposed judicial review solely for poor children eligible for AFDC; and the agency insisted that judicial review should include all children lest the poor be stigmatized. The Division also lobbied for the inclusion of citizen panels, because experience with this form of review in South Carolina had indicated that involving the citizenry had the advantage of developing a constituency sympathetic to the concerns of the public child welfare agency.¹

DYFS favored a uniform system for review so that the Division's management information system could be used to notify local offices of pending reviews and thus relieve local offices of this bookkeeping function. This request was denied, however, in order to give the counties flexibility in developing a review system appropriate to local needs. Initially, each local Board created its own reporting forms; but by 1981, the Child Placement Advisory

¹ Chappell, op cit.

Council, DYFS and the Administrative Office of the Courts had collaborated to develop uniform reporting forms which were used statewide.

The Study

This investigation describes how New Jersey's 21 counties implemented child placement review. Data were obtained from representatives of 36 of the 37 Child Placement Review Boards and all 26 DYFS liaisons. These 62 persons were interviewed between December 1980 and June 1981. In general terms, the study describes 1) the "mechanics" of how review is conducted on the local level; 2) areas of agreement and disagreement between Child Placement Review Boards and DYFS; 3) Board and DYFS perceptions of their relationship with each other; and 4) Board and DYFS assessments of child placement review and its impact upon child welfare practice, particularly with reference to the goal of achieving permanence for children in care.

A fuller elaboration of the study methodology will be presented in Chapters III and IV.

CHAPTER II

OVERVIEW OF REVIEW MECHANISMS UTILIZED IN PUBLIC SOCIAL PROGRAMS

Imposition of quality control mechanisms is not unique to child welfare services. Indeed, the phenomenon of independent review such as that developed for the system of foster care has precedent with other public programs designed to make health and welfare services more accountable to the public. In all instances, the rationale for adding organizational mechanisms to oversee management of various service systems was concerned with the correction of alleged deficiencies which critics felt the service provider had either created or ignored.

The quality control mechanisms developed in other systems, however, differ from foster care case review in scope, structure and the degree to which they can influence the organization under scrutiny. This chapter discusses how AFDC quality control programs, the British Lay Tribunals, American police civilian complaint review boards and private insurance programs for second opinion compare with independent case review of foster care. Since foster care review programs are state systems, a comparison of the characteristics of various state review systems is also included.

Public Welfare Review

Since 1963 the former United States Department of ~~Health, Education and Welfare (DHEW)~~ mandated states to ~~institute quality control programs to insure that federal guidelines for determining public assistance were being followed. Accordingly, auditors not directly involved in AFDC re-examined a sample of each state's AFDC cases to determine if their public assistance grants were appropriate. States whose error rates exceeded pre-defined tolerance levels (On the average, a five percent error rate was permitted.) incurred financial penalties.~~

Originally, states were penalized for underpayments to claimants as well as overpayments; but during the 1970's federal policy was changed, so that now states incur financial penalties only for overpaying claimants or for granting assistance to those who are subsequently considered ineligible. This change in the federal government's requirements for AFDC-QC programs has prompted welfare rights advocates to challenge the legality of the law. In their view, the purpose of AFDC-QC is solely to contain costs, since federal reimbursement for AFDC is reduced when states make excessive overpayments but not when states underpay claimants. AFDC-QC is seen as a means of reducing expenditures for public assistance rather than as a system to ensure public

accountability for sound welfare management.¹

In contrast to the American experience, the United Kingdom established a check to ensure that local welfare workers were properly exercising their discretion. By law, British welfare workers have the authority to grant assistance to claimants with special needs. The law also provides for an appeals procedure so claimants can challenge decisions of local welfare officials.

In 1966 when Great Britain's public welfare system was revamped, the Supplementary Benefits Commission (SBC) Appeals Tribunals was created. By law, any claimant was entitled to appeal to the tribunal when he felt he was arbitrarily treated by local officials at the SBC. The Appeals Tribunals, consisting of two volunteers and a chairman who received some compensation, had the ultimate authority for deciding whether or not to grant assistance. Since the appeals procedure was intended to be a non-judicial meeting, legal counsel was prohibited from representing either the claimant or the SBC. Moreover, popular press and other news media were prohibited from Tribunal meetings, although amendments in 1971 permitted academic researchers to attend.

The experience of the United Kingdom's Supplementary Benefits Appeals Tribunals provides an illustration of how an organization might exclude the scrutiny of outsiders in

¹ Maryland vs. Matthews, Civilian Action No. 75-63, U.S. District Court for District of Columbia. May 14, 1976.

its decision-making activity. In this instance, the authority of lay volunteers was undermined both formally by administrative arrangements and informally through interpersonal relationships. Administratively, the Appeal Tribunal operated under the same public department as the SBC and staff of the tribunals were employees of the SBC. On an informal basis, local SBC officials developed personal relationships with Tribunal members who became sympathetic to agency concerns. Under these circumstances, it was inevitable that members of Lay Tribunals become markedly influenced by the public agency which they were supposed to monitor, and their ability to make autonomous judgments was effectively neutralized.¹

Police Reviews

The British reliance on relatively subtle means to diminish the impact of outside involvement contrasts sharply with the experience of the civilian complaint review boards concerned with the performance of police in the United States. During the 1960's some 14 northeastern cities responded to civil rights advocates' concerns about police brutality against blacks by establishing civilian review boards. These boards, which were staffed by volunteers, were authorized to hear citizen complaints against police officers who had allegedly abused or insulted them.

¹ Melvin Herman, Administrative Justice and Supplementary Benefits. (London:J. Bell and Sons), 1972.

Although the boards' power was limited to censuring officers, civilian review boards were intended to bring public pressure on police departments whose staff might be inclined to mistreat suspects and witnesses of criminal activity because of alleged racist feelings.

In every instance, the police vehemently opposed the establishment of civilian review boards and they mounted public campaigns to defeat local plans to establish civilian review boards.¹ According to the police, citizen volunteers had no business interfering in their internal operations, and police chiefs argued that public safety would be threatened if untrained citizens were allowed to scrutinize police activity. According to police officials, the most serious disadvantage to civilian review boards was their potential for demoralizing the police, and the consequence of a staff so effected would be inadequate protection.²

A 1968 survey of the various arrangements for civilian review boards in American cities indicates that in virtually all instances, such boards were established within local police departments and headed by the police commissioner or his deputy. In consequence of this control by local officials, the departments retained considerable authority over the complaint process. For example, the police staff

1 Oscar Handlin, "A Solution to Police-Community Problems," in Critical Issues in Criminal Justice, Thomas F. Adams ed., (Pacific Palisades, California:Goodyear Publication Company), 1972, pp. 373-380.

2 New York Times, July 23, 1974 p. 9.

decided which complaints were referred to the complaint board and which were handled administratively. Secondly, the investigators from the local departments followed up all complaints, so there was always the possibility that fact finding efforts to substantiate or disprove a complaint were biased to serve the interests and views of police staff. Clearly, then, the American experience with civilian review boards provides a dramatic example of how organizations under scrutiny can undermine the outside review of its performance.¹

Medical Reviews

In 1974, McCarthy and Widmer reported that 24% of those in a self-selected group of 1,356 union employees who elected to obtain a second medical opinion, had their original recommendations for surgery unconfirmed. The authors, who reported their findings in the New England Journal of Medicine, estimated that after deducting the \$75,268.00 to reimburse patients for obtaining a second physician's opinion, \$581,873.00 were saved. The conclusion of their article unequivocally endorsed insurance programs for second opinions.

¹ Robert Ralph Dempsey, "A Comparative Study of Police Discipline in Cities in the U.S." (Unpublished master's thesis, John Jay College of the City of New York), June, 1971.

"By and large, we have documented the medical and economic advantages of establishing a screening program for elective surgical consultation for any insured population."¹

Both private health insurance companies and federal health analysts used this article to press for mechanisms for allowing and encouraging people to obtain second opinions. These health planners emphasized that the high frequency of inappropriate operations had adverse consequences not only on the affected patients but on the general public who had to bear the brunt of increased medical costs.²

Similar to the AFDC-QC program, then, there seems to have been strong financial incentives for offering reimbursement to patients seeking second medical opinions. And, in fact, the cost savings resulting from instituting insurance coverage for second opinions was again underscored in a 1979 study conducted by Blue Shield/Blue Cross of Greater New York. Based on the experience of the 1,517 second opinions paid for by the company during the first twenty months of the program, surgery was avoided in 414

¹ Eugene G. McCarthy, MD, MPH and Geraldine W. Widmer, RN, MPH, "Effects of Screening by Consultants On Recommended Surgical Procedures," New England Journal of Medicine, Vol. 291, Number 25 (December 19, 1974), p. 1334.

² Steven Sieverts, "Welcoming Remarks" Proceedings of the Second Surgical Opinion, Invitational Conference, November 5, 1980 New York, New York. Sponsored by Blue Cross Blue Shield of Greater New York, p. 1.

instances at a savings of a quarter of a million dollars.¹

While the implied criticism of the medical profession--that they have abused their authority--is similar to that made of the police, the check on the medical profession differs substantially from civilian review boards, because second opinions are rendered by qualified peers rather than by lay volunteers.

One striking similarity between civilian review boards and insurance programs for second opinion, however, is that both limit the scope of what is reviewed. As stated earlier, the police departments screen complaints, while virtually all insurance programs offering reimbursement for second opinions stipulate that the patient must voluntarily decide whether or not to seek a second opinion. To date, the voluntary nature of the program has effectively limited the utilization of second opinions. According to Blue Cross/Blue Shield's analyses, less than 10% of all eligible patients seek reimbursement for second opinions. Moreover, it seems that a primary reason for patients reluctance to obtain a second opinion is that they trust their physician's ability to assess their medical needs.

At present, analysts of follow up studies of patients who sought second opinions emphasize the tentative nature

¹ Blue Cross Blue Shield of Greater New York. Blue Cross Blue Shield of Greater New York's Involvement in Second Surgical Opinion Programs, (New York:Blue Cross Blue Shield of Greater New York), April 1979.

of outcome data. In most longitudinal studies, there has not been sufficient time since patients had received a second non-confirming opinion to determine whether they elect to have surgery at a later date or whether their decision to forego surgery led to negative consequences.

Recognizing the tentativeness of findings from longitudinal studies, proponents of second opinions argue that a primary advantage of this type of insurance coverage is its "sentinel effect." According to this theory, when physicians know that their patients can be reimbursed for obtaining a second opinion, they will be more cautious in recommending surgery. This argument assumes, of course, that most patients are better off without surgery, an assumption that may be unwarranted.¹

Foster Care Review

While no reports of foster care review mechanisms have specifically referred to a "sentinel effect," several studies have suggested such an influence is a primary advantage to independent case review. As indicated earlier, in 1975 Festinger² compared a sample of New York City foster children whose cases had been reviewed with a group who had

¹ Suzanne Grisez Martin, "The Sentinel Effect of a Mandatory Second Opinion Program: A Lesson from Massachusetts", Proceedings, op cit., pp. 26-33.

² Trudy Bradley Festinger, "The New York Review of Children in Foster Care," Child Welfare, LIV, 4 (April 1975), pp. 211-244.

not been reviewed by the Court. The study, which was undertaken four years after New York law mandated that the Family Court Judges review every child's placement plan 24 months after his entry into care and then at least annually, was intended to examine the effects of independent scrutiny of foster care workers' efforts to make plans for children. Study findings indicated that in the majority of cases, agency recommendations and judicial determinations of case plans were congruent. The author raised the broader question of whether or not review was necessary to effect movement towards a permanent plan of return home or adoption. In her conclusionss, Festinger offered two explanations for the high degree of similarity between the agencies and the court. Either the agencies were moving in the direction of permanency regardless of court review, or anticipating a court hearing, agencies "may have been stimulated to move more quickly toward making certain decisions.¹ Festinger argues that the court served as "a catalytic agency in moving towards goals,"² since pre-school children whose cases were reviewed were more likely to be referred for adoption than similar aged children whose cases were not reviewed.

Along similar lines, Chappell has reported that workers

¹ Ibid., p. 242.

² Ibid., p. 243.

in South Carolina "have an excellent incentive"¹ to develop careful case plans because they know these plans will be scrutinized semi-annually. Unlike New York State wherein workers are not required to attend review hearings, South Carolina mandates that child welfare workers routinely present their cases to citizen panels. The panels are appointed by the Governor upon recommendation of state legislators and members receive compensation for attending monthly meetings. In addition, members of South Carolina's child placement review boards must attend annual training sessions.

In South Carolina, panel members are encouraged to discuss details of case plans not only with workers but with parents, foster children and foster parents whose attendance is strongly encouraged. Moreover, each board is staffed by professionals who follow up on matters discussed at review meetings. To date, the one written report of South Carolina's experience indicates an effect similar to the one observed by Festinger, namely that independent review has facilitated more expeditious adoption planning for younger children.²

¹ Barbara Chappell, presentation at workshop "A Citizen Review Board in Action." at Child Welfare League of America Conference "Foster Care Review: Promises, Pitfalls and Practices," Atlantic City, New Jersey, May 7, 1979.

² Barbara Chappell, "Organizing Periodic Review in Foster Care; The South Carolina Study." Child Welfare. LIV, 7 (July 1975).

In addition to considering the impact of foster care review mechanisms, it is also interesting to compare the structural characteristics of states' review mechanisms. A recent study of four state systems which utilize citizen panels indicated that in Arizona and New Jersey review boards are under the auspices of the court; while in Maryland, review boards are attached to the public welfare administrative office; and South Carolina established a separate administrative office to handle foster care review. According to the authors of this study, citizen review is more influential when it is under the auspices of the court, since "...the courts have a well defined and final authority for children in foster care..."¹

Findings from this study, which are summarized in Table 1 below, also indicate that of these four states, only New Jersey lacks a central administration for staffing review. The lack of uniform staffing arrangements is a consequence of New Jersey's reliance on its 21 counties to fund child placement review, and this practice is typical of the state's way of enacting legislation. For example, the state has mandated standards for public school education without providing adequate funding to implement appropriate services.

Reliance on the counties to staff Child Placement Review Boards is generally viewed as a major barrier for ensuring a strong review system with the ability to effect

¹ Conte, Buttrick and Gieseke, op cit, p. 135.

improvements in foster care services.¹ In New Jersey, the Child Placement Advisory Council has raised the issue of inconsistent staffing in their two annual reports to the State Supreme Court.² The Council argues that Board members, many of whom have full time jobs, cannot be expected to assume responsibility for administrative details; and lack of adequate staff support has the unfortunate consequence that foster children from some counties have less thorough reviews.

It is also interesting to note that relative to the number of children in care, New Jersey has half as many review boards as Arizona, Maryland and South Carolina. This situation is a consequence of the enabling legislation which stipulates that the number of Child Placement Review Boards cannot exceed the number of JDR judges authorized for each county.³ This provision of the law is a source of concern for the Child Placement Advisory Council which contends that the number of Boards should be commensurate with the

¹ Ibid., p. 134.

² Annual Report of the Child Placement Advisory Council on the Effectiveness of the Implementation of the Child Placement Review Act (Trenton, New Jersey: Administrative Office of the Courts), November 26, 1979, pp. 2-4 and Second Annual Report of the State Child Placement Advisory Council on the Effectiveness of the Implementation of the Child Placement Review Act (Trenton, New Jersey: Administrative Office of the Courts), February 7, 1981, p. 8.

³ Laws of the State of New Jersey for the Second Annual Session, 1977, Chapter 427, 30:40:57.

county's caseload. As a minimum, the Council recommends that no county should be limited to one Board.¹

Another distinction of the New Jersey system is that cost estimates reveal that New Jersey's system is approximately twice as costly as these three other states. The cost estimate for New Jersey, however, may be an overestimate, since some observers claim that salaries of county employees who work less than full time on review matters are not prorated accordingly.²

¹ First, Annual Report, op. cit., pp. 4-5.

² Personal communication with Ed Lefelt, Princeton, New Jersey, Center for Analysis of Public Issues, September 25, 1981.

Table 1: COMPARISON OF KEY CHARACTERISTICS OF FOUR STATE SYSTEMS WHICH USE CITIZEN BOARDS
TO REVIEW FOSTER CARE CASES^a

	Auspices	Number of Children Subject to Review	Number of Review Boards	Frequency/ Usual number of Cases Reviewed	Timing of Review	Staffing Patterns	Cost Estimates for Operation of Review Systems
New Jersey	Court	8,800	37	weekly, biweekly and monthly on average, 12 cases	within 45 days of initial placement then at least annually	varies widely among 21 counties	\$524,715 (1978-79)
Arizona	Court	2,500 (estimate-no reliable data)	38	monthly, a few urban Boards meet weekly 10 cases	generally about 4 months after initial placement then semi- annually	State coordinator and trainer Six staff assts. support staff	\$282-298,000 (1980-81)
Maryland	Within umbrella State Human Services agency funded by DSS	11,500 (includes 800 in private agencies who are also reviewed)	FY'82 16 plan to increase to 55	monthly and biweekly 4-8 cases	semi- annually	State Coordinator with six staff assts support staff	\$289,000 (FY'82) (Expanded budget request FY '82 \$400,000)
South Carolina	Separate State Office (had been within Governor's Office)	2,500 (estimate of number of children reviewed.)	32	monthly, a few urban Boards meet biweekly 4-8 cases	semi- annually	State Director Six staff assts Staff Attorney Accountant Support Staff	\$252,297 (FY'1979-80) Includes \$35 per diem for board members.

^a Source: Jon R. Conte, Shirley M. Butterick, Gaylord Gieske, A Qualitative Evaluation of Citizen's Review Boards for Four States. Chicago: Center for Social Policy and Research, Univ. of Illinois at Chicago Circle and League of Women Voters of Illinois. January 1981.

Perspectives on Review Systems

What can be learned from the experience with independent quality control mechanisms? Two lessons seem to emerge. One, there seems to be general agreement that outside review stimulates improvements in health and welfare management. Increasingly, there is empirical evidence to support this conclusion; and several observers have concluded that systems of external review serve as a catalyst for the organization under scrutiny to improve internal operations. It should be noted, however, that studies of "outcomes" of review efforts are quite soft in nature and hardly come under the category of rigorous evaluations.

A second lesson which emerges from consideration of the experience with external review is the degree of combativeness between the review body and the organization under scrutiny. As described earlier, in some instances, the police were so antagonistic to civilian review that they effectively vitiated its effectiveness, while the British public welfare agency used more subtle means to thwart citizen review.

Issues to Be Studied

In the context of this study, then, two important issues for examination are whether or not New Jersey's Child Placement Review Boards have become a force for permanence planning and how local Child Placement Review Boards and the DYFS District Offices relate to each other. In other words,

does foster care review stimulate workers to intensify efforts to make permanent plans for children or is review "window dressing" which only gives the appearance of effecting improvements in the delivery of child welfare services?

With regard to agency-board relationships, have local boards been able to maintain both open communications with the public child welfare agency and an independent posture? Or has DYFS developed ways of neutralizing the impact of citizen review?

Another important issue concerns the structural characteristics of the New Jersey system for foster care review. It will be interesting to note the extent to which the judiciary has influenced review. Do those involved with review see the influence of the court as an asset or a liability? In addition, it will also be interesting to observe how local arrangements for staffing have affected the manner in which the counties carry out the mandate of the Child Placement Review Act.

CHAPTER III

STUDY PURPOSE AND METHOD

This is a descriptive study which compares the perceptions of 62 persons directly involved with New Jersey's system for child placement review. As stated earlier in the Introduction, the enabling legislation permitted each of New Jersey's 21 counties a great deal of latitude in implementing review. It was of interest to learn what arrangements the counties had made in order to comply with the law.

Respondents, who included members of 36 Child Placement Review Boards and 26 DYFS staff responsible for handling review business, were interviewed by telephone between December 1980 and June 1981, slightly more than two years after review became fully operational at the local level. This study captures the initial experiences of study respondents and describes the difficulties as well as the successes they encountered in implementing procedures for conducting external review. Findings from this experience survey, then, should be of particular interest to persons interested in developing systems for external review. In addition, this study should be of interest to advocates of case review, because respondents' comments illustrate the strengths and weaknesses of external monitoring of foster care cases.

Rationale for Interview

Although it would have been less time consuming to conduct a mail survey, this approach was rejected, because it seemed most likely that the response rate would be low. The problem of low response rate to mail questionnaires is generally recognized. One analysis of response rates obtained in five national surveys, all of which had three follow up mailings, indicated a mean response rate of 72.4%.¹ Moreover, most potential respondents to this study had already been surveyed by mail. In 1979, Child Placement Review Boards were surveyed by mail;² and concurrent with this study, the Center for Analysis of Public Issues sent a ten page questionnaire to all Board members.³ In view of Board members' experience with mail surveys, this investigator reasoned that they would be more likely to respond to an interview. Similarly, the potential DYFS respondents were required to complete forms summarizing their experience with review to DYFS Central Office, and staff constantly emphasized that they were inundated with paperwork. Here again, then, this investigator concluded that they would respond

¹ Delbert C. Miller, Handbook of Research Design and Social Measurement, Third Edition, (New York: David McKay Company, Inc., 1977), p. 80.

² Association for Children of New Jersey and State Public Affairs Committee of the Junior League of New Jersey, Survey Report on Implementation of the Child Placement Review Act. (Newark, New Jersey: November 1979)

³ Ed Leefeldt, In Search of the Paper Children (Princeton, New Jersey: Center for Analysis of Public Issues, 1982)

more positively to an interview.

Given the geographic spread of potential respondents, all interviews were conducted by telephone. (The travel time to ten of the 21 counties was over 200 miles round trip; and all but one DYFS District Office was more than an hour's drive from the investigator's home.) While use of telephone interviewing is a departure from traditional in person research interviewing, this strategy is gaining acceptance as a legitimate means of data collection when limited resources make it impossible to travel. Moreover, since this study was not concerned with respondents' affect or non-verbal communication, the use of the telephone did not seem to pose a serious impediment to data collection.

Telephone interviewing has been utilized by Shapiro,¹ who collected information from 511 child welfare workers in a large scale longitudinal study in New York City by telephone. In reporting study findings, she noted that this approach was readily accepted by the respondents and that one advantage of the telephone interview was that respondents were less easily interrupted, since the telephone was tied up for the research interview. Similarly, Weiss² con-

¹ Deborah Shapiro, Agencies and Foster Children, (New York: Columbia University Press, 1976).

² Carol H. Weiss, "Interviewing in Evaluation Research" (in Handbook of Evaluation Research, eds. Elmer L. Struening and Marcia Guttentag. Beverly Hills, California: Sage Publications, Inc. 1975. Vol. 1), pp. 355-396.

siders the telephone interview a viable alternative when in-person interviews are impractical.

Interview Format. The study reported here used the focused or semi-structured interview. This type of research interviewing has similarities with both the classical survey design and qualitative methods. As in conventional survey procedures, the subject matter was well laid out prior to the interviewing. This investigator had identified five content domains: 1) the procedures developed to implement review on the local level; 2) the judiciary's involvement with review; 3) respondents' views of permanence planning; 4) respondents' perceptions of Board-DYFS relationships; and 5) respondents' assessments of New Jersey's system of external review of foster care cases. For each of these content domains, standard questions were developed, so that if the respondent did not volunteer sufficient information, the investigator could refer to the interview guide to ensure that each content domain was adequately covered. For example, in discussing how review was implemented on the local level, it was of interest to know the background of Board members, where review meetings were held, how frequently Boards met, how many cases were usually reviewed at each meeting, and whether DYFS regularly gave testimony as well as the internal arrangements each local DYFS office had developed to prepare cases for child placement review. (See copies of interview guides in Appendix B.)

Although the content of the interviews was developed ahead-of time, the sequence in which these topics were covered was flexible. All interviews began with the question "Are you satisfied or dissatisfied with the way child placement review is working within _____ (name) County?" In responding to this question, one or two respondents practically conducted their own interview; while in a few other instances, this investigator asked many pointed questions to elicit information from reticent interviewees. Most frequently, however, interviewees' responses to the introductory question suggested a follow up question to elicit information about one of the topics which needed to be covered with all respondents. For example, several respondents stated that they were satisfied with child placement review, because the Board and District Office had an excellent relationship, so subsequent questions initially focused on probing them about how they had developed a smooth working relationship.

This flexible approach to research interviewing was used by Gochros in a study of adoptive parents' experience with agencies. In his study, Gochros identified 14 issues to be covered with all adoptive parents, but he wanted to maintain a conversational style so that respondents would feel free to be candid in discussing their experiences with

their adoption workers.¹

This free-flowing interview style was considered particularly appropriate in order to permit respondents to discuss aspects of review not anticipated by the investigator. It will be recalled that the enabling legislation permitted each county a great deal of latitude in implementing review; and consequently, this investigator decided against a highly structured set of questions in order to encourage respondents to initiate discussion of issues which were unique to their county. In the course of interviewing, many respondents did indeed bring up issues which were not included on the interview guide.

This investigator recognized that this interview style was not without its problems. Above all, the danger of interviewer bias had to be considered. Consequently, every effort was made to convey neutrality with regard to this investigator's position about child placement review. First, this investigator introduced herself as a doctoral student, so it was clear that she was not affiliated with any organization which had supported or opposed review. Second, the introductory question was phrased in such a way that respondents would feel free to comment positively or negatively about their experience with review. Similarly,

¹ Harvey L. Gochros, "The Caseworker-Adoptive Parent Relationships in Post-Placement Services," (in Alfred Kadushin, ed., Child Welfare Services, New York: MacMillan Co., 1970)

in eliciting respondents' assessment of review, an effort was made to balance the social desirability of alternative responses: "There are always positives and negatives to everything. What do you see as the primary advantage of review? What do you see as the primary disadvantage of review?" This latter technique for wording questions has been used successfully by others; and it was considered appropriate to adapt them for this study.¹

Sample Selection

A list of all members of New Jersey's 37 Child Placement Review Boards was obtained from the State's Administrative Office of the Courts in December 1981. The Chairperson was then contacted and all but two agreed to be interviewed. In these two cases, an alternate was available. Unfortunately, one interview was unuseable, so this study described 36 Review Boards, whose representatives were interviewed between December 1980 and June 1981.

This investigator recognized that the Chairperson's perceptions of review may not have been representative of the full Board. These persons were chosen, however, because they had the responsibility for ensuring that the Board functioned properly, and it was assumed that they would be

¹ Shirley Jenkins, "Collecting Data by Questionnaire and Interview," (Norman A. Polansky, ed., Social Work Research, Revised Edition, Chicago: University of Chicago Press, 1975) p. 141.

the most knowledgeable about the content domains to be covered during the interview.

As discussed earlier, this investigator rejected a mail survey. Since resources for interviewing were limited, it was reasoned that the Chairperson was the most appropriate informant.

Within DYFS, the Division Director sent a memo introducing the investigator to all District Offices and Regional Offices where adoption services are located. In each of the 21 counties, and four Adoption Resource Centers, the person(s) responsible for handling review matters was introduced between December 1980 and May 1981. In all, 26 DYFS persons were interviewed.

Here again, this investigator recognized that liaisons' perceptions of child placement review might not be representative of the local DYFS office. These persons were chosen, however, because it was not feasible to interview more DYFS staff, and it was reasoned that unlike many of their colleagues, these persons would have both a breadth of experience with review matters and sufficient involvement so that they could discuss the topics which needed to be covered during the interview.

Pre-testing the Interview Guide

In December 1981, two DYFS respondents and three Board respondents from five different counties were interviewed in order to pretest the interview guides. (There were some

differences in the questions asked of Board and DYFS respondents, so two interview guides were developed.) Overall, these interviews were satisfactory. Respondents readily replied to the questions asked of them; and two mentioned special problems unique to their counties. Since the interviews were taped, the investigator had the opportunity to assess her interview style as well as to receive feedback from her advisor about how to follow up respondents' comments.

Experience with Interviewing

The investigator's program of telephone interviewing was carried out without difficulty. In each instance, the investigator called to introduce herself and requested a telephone interview at a convenient time. About one-fourth of the respondents suggested conducting the interview immediately. Five interviews had to be rescheduled. The interviews ranged from twenty minutes to two and one-half hours, with most interviews taking approximately one hour. Many Board respondents commented that they enjoyed talking about their experience with child placement review; and a few added that they thought it was important to obtain more publicity for the Boards so that the community would be better informed about foster care and so that the Boards could interest more people to serve on review panels.

Analysis of Data

Coding Responses. Since no interviewees objected, all

interviews were tape recorded. Taping interviews had the advantage of freeing the interviewer from note taking, thus facilitating her ability to concentrate on interviewees' remarks to make appropriate follow up questions. The advantage of taping interviews was recognized by a few respondents who remarked that it would have been impossible to take coherent notes of our lengthy conversations.

After one-third of the interviews were completed, two code books were drafted. After using these code books to categorize interviews with Board members and DYFS staff, the code books were slightly modified. All interviews were then coded using the revised code books.

The two sets of data (that is, Board and DYFS responses) were then computerized. Most of the data could not be quantified beyond classification into nominal categories. For example, the role of the judiciary respondents' views on permanence planning and their assessment of review were descriptive data which did not lend themselves to rigorous statistical analysis. For these data, cross tabulations were made; where possible, Chi Square Tests of Association were undertaken to examine whether variables were significantly related. Most cell frequencies, however, were too small to permit this kind of statistical analysis.

These descriptive data were amplified with pertinent excerpts from taped interviews. In the study reported here, excerpts from many of the 62 tape recorded interviews are used in order to give insight into the process of external

review which is not revealed in the presentation of frequency counts and tables.

Quotations are frequently cited in the chapters which analyze respondents' perceptions of permanence planning. The approach to eliciting information on this issue was to discuss such topics as the role of natural parents, the appropriateness of long term foster care and the advisability of cross religious placements. In addition, Board members were asked to describe a case where they took issue with a DYFS plan for return home, adoption, long term foster care, residential placement and independent living. Similarly, DYFS staff were asked to describe instances where they had difficulty justifying each of these types of plans.

The use of excerpted narratives from tape recorded interviews appears in the work of Maluccio¹ reporting on a follow up study of 32 clients at a family service agency. In his study, Maluccio selected quotations to illustrate the central theme of his exploratory study which was to describe how clients perceived their experience with a social agency. Like the study reported here, his use of quotes served to strengthen the nominal data collected during semi-structured interviews.

Ranking of Board-DYFS Relationships. Unless they volunteered the information, all respondents were asked

¹ Anthony Maluccio, Learning from Clients, (New York: Free Press, 1978).

whether they had a positive or negative relationship with the Board (or DYFS). Only eight of the 62 respondents acknowledged that they had a negative relationship. In addition, a few other respondents described instances which suggested that some strain existed between Boards and DYFS.

As discussed earlier in Chapter II, experience with external review mechanisms in other health and welfare fields indicates that some strain exists when independent monitoring agents are established to oversee heretofore autonomous organizations. Consequently, it was not surprising that there was some conflict between DFYS and some Boards.

Since only a few Boards and DYFS were in opposition about case planning, the challenge for this investigator was to differentiate among the counties where the Boards and agency had open communication and appeared to resolve differences through discussion.

A closer examination of the Board-DYFS relationships in these counties where relationships were cordial revealed that in some instances, the DYFS District Offices had made additional efforts to ensure that their social workers would be fully prepared while others made no such effort for review. In two of these District Offices which had instituted changes in internal operations, it seemed that the rationale for doing so was not only to minimize conflicts with the Boards, but because supervisors agreed with the philosophy of permanence planning and saw review as a means

to implement their ideals. For example, one District Office provided intensive training in goal-oriented case work so that staff would be able to prepare adequate case plans for the Child Placement Review Boards; another instituted internal review within in order to ensure that case plans were fully documented before the Board review.

Counties where the District Office was actively using review to stimulate internal change can be distinguished from other counties where Board-DYFS relations were cordial. In the latter group, the District Office and Board had open communication but there was no indication that the District Office was using independent review to press for permanence for children in care. In these District Offices, it appeared that the manner of service delivery was virtually unaffected by child placement review, although both the DYFS and Board felt they had a positive relationships.

The range of Board-DYFS relationships observed in this examination of New Jersey's system for child placement review has parallels with Warren's¹ paradigm for classifying relationships between community groups and established agencies. According to Warren, community groups can have "contest," "collaborative" or "campaign" relationships. Contest relationships are those where the agency and community group have ceased communicating and rely on confrontation. Colla-

¹ Roland L. Warren, Types of Purposive Social Change at the Community Level, (Waltham, Massachusetts: Brandeis University, Papers in Social Welfare, 1965, No. 11).

borative relationships are those where the agency and community group have consensus and any disagreements can be resolved through discussion. Campaign relationships are those where the community group makes additional efforts to publicize its point of view in order to ensure consensus.

While Warren analyzed the strategy of indigenous groups in order to characterize a community's relationship with a service agency, this study analyzes the role of the agency in order to characterize the relationship between the community group and the service agency. For the purpose of this study, the DYFS District Offices which modified their internal case management in order to respond to review requirements are considered to have a "campaign" relationship with their respective Board(s). District Offices which made no changes in internal case management but reported a cordial relationship with the Board are considered to have a "collaborative" relationship with their respective Board(s). Counties where the District Office described negative exchange with their Board(s) are classified as having a "contest" relationship.

Index to Characterize Boards. It was possible to characterize the 36 boards in terms of how they defined their role. As provided in the enabling legislation, each Child Placement Review Board was permitted to determine the frequency of meeting, the number of cases reviewed at each meeting and whether DYFS staff would be required to present

testimony on cases. In addition, Boards could decide how frequently they wanted to review cases, for while the law required a Board review "at least annually," Boards could review cases more frequently if they so chose. Moreover, study findings also indicated that Boards varied in the extent to which they had support from the Juvenile and Domestic Relations Court Judge.

The differences in the way local Boards carried out the state mandate for external review enabled this investigator to classify the 36 Boards along an "activist/non-activist" continuum. For the purposes of this study "activist" Boards were those who took full advantage of the law in an effort to give independent scrutiny to cases.

"Activist" Boards were those who met frequently, required DYFS testimony, reviewed more cases at each meeting, scheduled cases for additional reviews and had contact with the judiciary. These Boards put DYFS on notice that they expected case plans to have adequate documentation and they were not at all reluctant to take issue with DYFS or the appropriateness of planning goals and/or to schedule cases for frequent review. In contrast, "non-activist" Boards were less assertive in establishing themselves as an independent body authorized to oversee DYFS cases. These Boards in effect, seemed to be a "rubber stamp" on DYFS decisions about cases.

The "activist/non-activist" classification developed for this study has precedent in organizational theory about

the relationship of citizen involvement in professional activities. For example, Litwak¹ maintains that professionals are best suited to provide technical expertise in situations where there is predictability because under these circumstances, knowledge can be applied in a systematic way. The layman, on the other hand, can respond to issues where technical knowledge is irrelevant. One can derive from Litwak's "balance theory" that it is appropriate that the citizenry make these value decisions because technical knowledge is not required. Rather, such choices as the kind of available medical care and the offering of certain courses in a curricula (e.g. Black studies, sex education) are based on individual values; consequently, it is appropriate that those affected decide if this is what they want.

According to Rothman² the convergence of professional and lay elements in providing social services is soundest when the experts contribute factual knowledge regarding a practical problem and/or information concerning recognized interventive techniques. In addition, professionals are better able to foresee the societal consequences of a particular policy or practice. In contrast, laymen contribute

¹ Eugene Litwak, "Models of Bureaucracy That Permit Conflict," American Journal of Sociology, 67, September 1961), pp. 177-84.

² Jack Rothman, John L. Erlich and Joseph S. Teresa. Promoting Innovation and Change in Organizations and Communities, (New York: John Wiley & Sons, Inc. 1976).

to social service planning by articulating their desires and perspective about what they need.

Blance theory's distinction between "technical" and "non-technical" roles parallels this investigator's distinction between "activist" and "non-activist" Boards. Activist Boards can be viewed as those which assumed a highly technical role, because they were more inclined to give DYFS cases thorough scrutiny; whereas non-activist Boards, by their reluctance to put DYFS on notice, can be considered as assuming a lay function. By their presence, "non-activist" Boards indicated community concern about foster care but their posture towards DYFS demonstrated that social workers were the authority.

Respondents' Assessment of Review. The question of effectiveness in promoting permanence for children in care is, of course, the central issue in ascertaining the merits of independent review. With regard to New Jersey's system, conventional evaluation designs relying on control and experimental groups were precluded when all clients were subjected to change in a system. Other quasi-experimental designs, such as trend analysis of length of time in care before and after review was implemented, or comparing length of time in care for New Jersey youngsters and foster children in a similar state without external review were not feasible given available resources.

In this study, the impact of review is examined by considering Board and DYFS perceptions of the effectiveness of

review. Although this approach lacks the rigor of experimental design, this qualitative approach had to suffice given available resources.

In this study, respondents were asked to identify the advantages and disadvantages of review. In addition, they were asked to describe an instance where review had a positive effect on a child's foster care status. The responses were analyzed to determine whether any trends emerged. For example, it was interesting to see whether respondents felt that review was particularly beneficial for certain kinds of case.

The validity of using respondents' perceptions about the effectiveness of review may be questioned. At the same time, however, researchers who espouse qualitative methods would argue that this approach is equally, if not more valid. For example, Cicorel¹ takes issue with those who justify findings by referring to statistical analyses, contending that most measurement techniques are devoid of explicit links to theory. Similarly Schatzman and Strauss² argue that being in intimate contact with those who are directly involved with the phenomenon under study has the primary advantage of keeping the investigator in the "real world."

¹ Aaron Cicorel, Method and Measurement in Sociology, (New York: The Free Press, 1964).

² Leonard Schatzman and Anselm L. Strauss, Field Research: Strategies For A Natural Sociology, (Englewood Cliffs, New Jersey: Prentice Hall, Methods in Social Science Services, 1973).

In the study reported here, this investigator chose to learn about the effectiveness of review from those directly involved with it rather than to conduct a secondary analysis of cases to consider whether external review affected children's status in care. Moreover, the perceptions of both the reviewers and reviewees were considered, so it was possible to compare all Board respondents' assessments and all DYFS respondents' assessments as well as to make pair wise comparisons between Board and DYFS respondents from the same county. The implications of the validity of using respondents' comments to consider the impact of review is addressed further in the concluding chapter. (See Chapter XII.)

CHAPTER IV
CHARACTERISTICS OF NEW JERSEY'S
CHILD PLACEMENT REVIEW BOARD MEMBERS

As stipulated in the Child Placement Review Act (CPRA), the Superior Court Assignment Judge has the responsibility for appointing Child Placement Review Board members. The law also stipulates that "to the maximum extent feasible, [Board members shall] represent the various socioeconomic, racial and ethnic groups of the county in which it serves.¹

Table 2 below details the social characteristics of members of the 36 Child Placement Review Boards reported in this study. All but eight Boards had three or more women, and four Boards had only female members. The heavy representation of women was lamented by two Chairpersons of the all female Boards; while another Board Chairperson speculated that he was appointed to the Board because the judiciary recognized the importance of male representation.

Originally, this investigator thought that the time of the child placement review meetings might account for the overrepresentation of women, but study findings indicated

¹ Laws of the State of New Jersey for the Second Annual Session, 1977 Chapter 427, 30:40:57.

that similar proportions of men served on Boards which met during regular business hours and evening hours. Moreover, two of the four all female Boards met during the evening.

The preponderance of women on Child Placement Review Boards is consistent with societal norms where volunteer service is primarily seen as a female role. In any American community, there are always at least a few organizations under Church or civic auspices whose activities are carried out by female volunteers; and it would seem that serving on a Child Placement Review Board is seen as an extension of this norm. Moreover, the fact that such a prestigious women's organization as the Junior League of New Jersey lobbied for the enabling legislation may be another contributing factor in attracting female Board members.

In terms of ethnicity, 31 Boards had three or more white members, and ten Boards were all white. Twenty-two Boards had at least one black member and eight Boards had an Hispanic member. Six of the Boards having no minority members served urban counties, while the four remaining Boards served rural areas. The lack of minority representation was not viewed as a problem by the three Chairpersons of all white Boards from rural counties, where there were few black and Hispanic residents. In contrast, Board Chairpersons from two larger urban counties recognized that their membership was not representative of their communities and they were most disappointed that it had not been possible to

recruit black and Hispanic members to their Boards. Another Chairperson from an urban county was not aware that the enabling legislation required local Child Placement Review Boards to be representative of the county's residents.

As stipulated in the enabling legislation, Boards were supposed to reflect the racial makeup of their counties "to the maximum extent feasible." As indicated in Table 2A, most counties did not fulfill this provision of the law. The correlation between white and non-white Board members and the proportions of whites and non-whites in their respective counties was negligible ($r = .20$). Moreover, if one compares the racial representativeness of Board members with the proportion of white/non-white children in DYFS placement for each county, there is no correlation ($r = .001$). As indicated in Table 2A, whites were overrepresented. This overrepresentation of white Board members was most notable in two counties with large urban centers (Essex and Hudson) where several Boards had no non-white members, although many of the children in placement were non-white.

Of the 36 Boards described in this study, 26 had at least one social worker, 23 at least one teacher and 19 at least one person active in volunteer activities in the community. Seven Boards had a lawyer as a member (including one Board with two attorneys); four Boards had at least one psychologist (including one Board with three). In addition,

four Boards had a clergyman or nun; one Board had a foster parent and two other Boards had former foster parents.

Of the 23 Board respondents who were aware of why they were appointed to a local Child Placement Review Board, ten were housewives who had had extensive involvement in their communities through such volunteer efforts as their County's Mental Health Association and their County's Children's Shelter Committee. Three of these women were members of the Junior League, which had lobbied for the enabling legislation; and they readily applied to their judges for an appointment and the Child Placement Review Board after the law was passed.

All of these women saw their involvement in child placement review as an extension of their longstanding volunteer service, and they presumed that they were appointed because the judge either knew first hand of their volunteer experience or that their name was brought to his attention.

Well I've never been employed in social service, but I've always done volunteer work. When my children were young, I was involved in the schools and since then I've been involved in the Church and other things.

I'm a college graduate and I taught before I had children. Since then I've done lots of volunteer work. I'm on our county's board to oversee our children's shelter, and I guess that's how the judge knew my name.

As a member of the Junior League, I taught piano to girls at our adolescent residence and that experience got me interested in child placement review.

Five social workers were aware of why they were appointed to Child Placement Review Boards. One, who was employed at a private adoption agency, had lobbied for the enabling legislation, and promptly volunteered to serve on her local Board. Another applied for a position on the Board after she resigned from DYFS, because she had been impressed with the work of the Board. A medical social worker, who had formerly directed a children's service program, explained:

Well, I've known [name of District Office Manager] for a long time, and she told me I could be helpful. We give a lot of suggestions to workers and she thinks this is helpful in getting permanence for children.

The remaining two social workers assumed that they were appointed because the judge had learned of their work in child welfare.

Three attorneys stated that the judge knew first hand of their interest in child welfare, because they had frequently tried cases in Juvenile Court.

...Well I don't know if I should say this on tape but Judge [name] tapped me because he said you have always complained about the system, so now's your chance to do something about it!

Two high school teachers were also aware of why they were appointed to Child Placement Review Boards. One explained

Well, when [name] retired from our school, she suggested my name to the judge.

The other teacher assumed he was appointed because the judge looked favorably on his many years of volunteer service on

his town's Juvenile Conference Committee. In New Jersey, juveniles who admit guilt to minor offenses may be waived from court and appear before Juvenile Conference Committees (JCC). These JCC's are five member citizen panels who are responsible for interviewing the juvenile, his parents and other interested parties and then recommend an appropriate course of action, such as referring the family for counseling or having the juvenile make restitution.

Another Board respondent applied because, as an adoptive parent, he had become very interested in advocating for permanence. This respondent was from the county where a fellow Board member speculated he was appointed because he was a male, so the judge may have also considered this factor in appointing him.

In contrast to the 34 Board respondents who had previous experience with some aspect of the child welfare system, two Board respondents stated that they were appointed because of their personal relationships with court personnel.

Well you won't believe this, but I was at a party and I met this woman who worked in the court. When she heard I was retired, she suggested I volunteer and it seemed like a good idea. I raised one child and have five grandchildren. That doesn't make me an oracle--but I thought I could help.

My husband rides to work with the judge's secretary. She knows I've always worked [in volunteer efforts such as Church, Girl Scouts] with children and that [the Board] had an opening and she asked my husband if I'd be interested.

It is worth noting that Child Placement Review Boards had members who were familiar with foster care and Juvenile Court. Since the enabling legislation recognizes the importance of appointing persons with appropriate backgrounds,¹ it is noteworthy that in practice, this requirement appears to have been observed.

Noticeably absent were politically motivated individuals who were primarily interested in using the appointment as a means of enhancing their stature in the community. Far from being "outsiders" to foster care, virtually all of the Child Placement Review Board members were aware of the problems confronting DYFS and they had made previous efforts to improve the system. Moreover, their knowledge of the courts, local resources and DYFS could help them to make thoughtful recommendations about case planning to the judge.

The one criticism one could make, however, is that membership on Child Placement Review Boards was limited to persons with middle and upper middle class occupations or affiliations. One Board Chair-person attributed the lack of representatives of the poor and "near poor" to the fact that Board members were not paid and generally they were not reimbursed for such out-of-pocket expenses as travel and child care. Although the CPRA permits counties to reimburse

¹ "Each member shall be a person who has either training, experience or interest in issues concerning child placement or child development" (Laws of the State of New Jersey for the Second Annual Session 1977, Chapter 427, 30:4C-57.

members for related expenses, not all have done so on a regular basis.

TABLE 2: COMPARISON OF SOCIAL CHARACTERISTICS OF CHILD PLACEMENT REVIEW BOARD MEMBERS

County	Population ^a	Number of Children in Placement ^b	Number of Review Boards in the County	Sex Distribution	Racial/Ethnic Distribution	Occupation of Each Review Board Member
Atlantic	151,871	233	1	3 women 2 men	2 Whites 2 Blacks 1 Hispanic	Teacher Attorney 2 Social Workers Psychologist
Bergen	843,067	243	3	<u>Board One</u> 3 women 2 men	4 Whites 1 Black	Teacher Physician 3 Volunteers
				<u>Board Two</u> 4 women 1 man	4 Whites 1 Black	Teacher 2 Social Workers 2 Volunteers
				<u>Board Three</u> 3 women 2 men	4 Whites 1 Black	Teacher Lawyer 2 Social Workers Volunteer
Burlington	298,784	296	1	4 women 2 men	5 Whites 1 Black	Teacher 2 Social Workers 2 Volunteers Retired Army Officer
Camden	448,534	506	2	<u>Board One</u> 4 women 1 man	4 Whites 1 Black	Lawyer 3 Social Workers (including a nun) other

TABLE 2 (Cont'd)

County	Population ^a	Number of Children in Placement ^b	Number of Review Boards in the County	Sex Distribution	Racial/Ethnic Distribution	Occupation of Each Review Board Member
Camden (Cont'd)				<u>Board Two</u> 4 women 1 man	3 Whites 1 Black 1 Hispanic	Teacher Lawyer Social Worker Volunteer Other
Cape May	52,338	85	1	3 women 2 men	4 Whites 1 Black	Teacher Retired Principal Retired Guidance Counselor 2 Unknowns
Cumberland	98,886	211	1	3 women 2 men	4 Whites 1 Hispanic	Teacher Social Worker 2 Speech Therapists Other
Essex	851,116	1,940	5	<u>Board One</u> 3 women 2 men	4 Whites 1 Black	Teacher Public School Employee 2 Social Workers Other
				<u>Board Two</u> 3 women 2 men	3 Whites 1 Black 1 Hispanic	2 Lawyers 2 Social Workers Other
				<u>Board Three</u> 2 women 2 men	4 Whites	Lawyer Social Worker 2 Businessmen

TABLE 2 (Cont'd)

County	Population ^a	Number of Children in Placement ^b	Number of Review Boards in the County	Sex Distribution	Racial/Ethnic Distribution	Occupation of Each Review Board Member
Essex (Cont'd)				<u>Board Four</u> 2 women 3 men	2 Whites 2 Blacks 1 Hispanic	2 Social Workers Medical Techno- nologist Volunteer Other
				<u>Board Five</u> 3 women 1 man	3 Whites 1 Black	Teacher 2 Social Workers Volunteer
Glouster	159,235	157	1	4 women 1 man	4 Whites 1 Black	1 Social Worker 3 Volunteers Other
Hudson	556,972	604	4	<u>Board One</u> 1 woman 3 men	4 Whites	3 Psychologists (including a priest) Volunteer
				<u>Board Two</u> 3 women 1 man	4 Whites	Teacher School Employee Retired Secretary College Student
				<u>Board Three</u> 3 women 1 man	4 Whites	2 Teachers Social Worker Other
				<u>Board Four</u> 2 women 3 men	3 Whites 2 Blacks	Teacher Physician Lawyer Child Care Worker

TABLE 2 (Cont'd)

County	Population ^a	Number of Children in Placement ^b	Number of Review Boards in the County	Sex Distribution	Racial/Ethnic Distribution	Occupation of Each Review Board Member
Hunterdon	11,611	59	1	5 women	5 Whites	Teacher 2 Social Workers Volunteer Other
Mercer	259,531	296	1	2 women 2 men	4 Whites	Social Worker Other 2 Volunteers (incl. former social worker)
Middlesex	576,014	369	3	<u>Board One</u> 3 women 2 men	2 Whites 2 Blacks 1 Hispanic	Teacher 2 Social Workers 2 Other
				<u>Board Two</u> 4 women 1 man	4 Whites 1 Hispanic	2 Teachers Minister Volunteer
				<u>Board Three</u> 4 women 1 man	4 Whites 1 Hispanic	Teacher Social Worker Volunteer 2 Other
Monmouth	445,569	285 (Data on one Board was unusable)	2	4 women 1 man	5 Whites	2 Teachers Psychologist Social Worker Volunteer

TABLE 2 (Cont'd)

County	Population ^a	Number of Children in Placement ^b	Number of Review Boards in the County	Sex Distribution	Racial/Ethnic Distribution	Occupation of Each Review Board Member
Morris	340,421	228	1	3 women 2 men	4 Whites 1 Black	Teacher Psychologist Social Worker Social Service Administrator (Former foster mother) Unknown
Ocean	251,637	228	1	4 women 1 man	4 Whites 1 Black	School Employee Other 3 Volunteers
Passaic	428,823	524	2	<u>Board One</u> 4 women 1 man	4 Whites 1 Black	Teacher 2 School Employees 2 Social Workers
				<u>Board Two</u> 4 women	3 Whites 1 Black	Teacher 2 Social Workers (one retired) Other
Salem	37,171	85	1	1 woman 2 men	2 Whites 1 Black	3 Teachers
Somerset	153,395	171	1	22 women 3 men	4 Whites 1 Black	Physician 2 Social Workers Law Student Volunteer
Sussex	47,624	64	1	3 women 2 men	5 Whites	Clergyman Foster Parent 3 Volunteers

TABLE 2 (Cont'd)

County	Population ^a	Number of Children in Placement ^b	Number of Review Boards in the County	Sex Distribution	Racial/Ethnic Distribution	Occupation of Each Review Board Member
Union	504,094	522	3	<u>Board One</u> 5 women	3 Whites 2 Blacks	Nurse Youth employment counselor Social Worker Unknown (retired person)
				<u>Board Two</u> 4 women 1 man	3 Whites 2 Blacks	Teacher 3 Social Workers Active Volunteer
				<u>Board Three</u> 4 women	4 Whites	2 Social Workers 2 Active Volunteers
Warren	41,164	93	1	4 women 1 man	5 Whites	2 Teachers Guidance Counselor 2 Unknowns

^a Census 1980 Number of Inhabitants in New Jersey, Table 3 "Population of Counties by Urban and Rural Residence", (NJ 32-9).

^b Child Caseload by Placement Type, County Distribution as of March 31, 1981, Division of Youth and Family Services (DYFS), prepared by George Sheldon, Bureau of Management Reporting, June 17, 1981. (Trendon, New Jersey: DYFS, CMR STAT 1A)

TABLE 2A

COMPARISON OF RACIAL BACKGROUND OF CHILD PLACEMENT
REVIEW BOARD MEMBERS WITH ETHNIC DISTRIBUTION OF
COUNTIES AND YOUNGSTERS IN DYFS PLACEMENTS

<u>County</u>	<u>% Non- % White White^a</u>		<u>Board</u>		<u>Youngsters in DYFS Placement^b</u>	
			<u>% White</u>	<u>% Non- White</u>	<u>% White</u>	<u>% Non- White</u>
Atlantic	79.8	20.2	40	60	35.7	64.3
Bergen	98.2	7.2	80	20	71.7	28.3
	98.2	7.2	80	20	71.7	28.3
	98.2	7.2	80	20	71.7	28.3
Burlington	84.7	15.3	83	17	44.9	55.1
Camden	81.3	18.7	80	20	37.7	62.3
	81.3	18.7	60	40	37.7	62.3
Cape May	92.6	7.4	80	20	59.1	40.9
Cumberland	78.1	21.9	80	20	41.1	58.9
Essex	56.7	43.3	80	20	8.3	91.7
	56.7	43.3	60	40	8.3	91.7
	56.7	43.3	100	0	8.3	91.7
	56.7	43.3	40	60	8.3	91.7
	56.7	43.3	75	25	8.3	91.7
Gloster	90.2	9.8	80	20	64.2	35.8
Hudson	74.0	26.0	100	0	21.6	78.3
	74.0	26.0	100	0	21.6	78.3
	74.0	26.0	100	20	21.6	78.3
	74.0	26.0	60	40	21.6	78.3
Hunterdon	97.6	2.4	100	0	91.0	9.0
Mercer	78.6	21.4	100	0	19.4	80.6

TABLE 2A (Continued)

COMPARISON OF RACIAL BACKGROUND OF CHILD PLACEMENT
REVIEW BOARD MEMBERS WITH ETHNIC DISTRIBUTION OF
COUNTIES AND YOUNGSTERS IN DYFS PLACEMENTS

County	% Non-		Board		Youngsters in DYFS Placement ^b	
	% White	White ^a	% White	% Non- White	% White	% Non- White
Middlesex	89.6	10.4	40	60	55.5	44.5
	89.6	10.4	80	20	55.5	44.5
	89.6	10.4	80	20	55.5	44.5
Monmouth	89.3	10.7	100	0	49.8	50.2
Morris	95.2	4.8	80	20	83.5	16.5
Ocean	96.0	4.0	80	20	75.4	25.5
Passaic	79.0	21.0	80	20	25.2	74.8
	79.0	21.0	75	25	25.2	74.8
Salem	83.8	16.2	67	33	37.1	62.9
Somerset	92.8	7.2	80	20	79.2	20.8
Sussex	98.6	1.4	100	0	90.6	9.4
Union	79.5	19.5	60	40	20.1	79.9
	79.5	19.5	60	40	20.1	79.9
	79.5	19.5	100	0	20.1	79.9
Warren	98.1	1.9	100	0	94.1	5.9

^a 1980 Census New Jersey, Racial Distribution of County Population.

^b Office of Civil Rights, Department of Health and Human Services, 1980 Children and Youth Referral Survey Public and Social Welfare and Social Services Agencies. Vol. II Washington D.C.: September 1981. pp 472-484. Averages from several local offices within large counties of Essex, Hudson, Monmouth, Passaic and Union were used for this comparison.

Training for Members of Child Placement Review Boards

In terms of training for child placement review, 18 Board respondents recalled having received some preparation for their assignment. The training always included at least one DYFS presentation about the Division's mandate and internal operations. In one urban county, Board members were also invited to accompany a worker into the field, and the DYFS respondent had wished that more Board members would have taken advantage of this opportunity so that they could see first hand the difficult circumstances confronted by their staff.

We want the Board to understand the pressure of time...that the caseworkers' job is impossible. Many of these people wouldn't do their job for all the money in the world.

Thirteen Board respondents felt their training was adequate, while five others felt that they were not given sufficient preparation to deal with the complexities of case planning for difficult youngsters.

The only way to learn is to jump in and get started. Training can't prepare you for the nitty gritty.

I don't think any training could have prepared me for the difficult cases we had to deal with.

We didn't get enough training about residential placement. It's a difficult area.

Eleven Board respondents mentioned that they had received training subsequent to the implementation of review. In most cases, this follow-up training included additional briefings about specialized DYFS services such as

adoption and residential placement. In one county, Board members received partial reimbursement to attend out-of-state conferences.

On a statewide level, the Child Placement Review Board Advisory Council reimbursed all local Board members who attended a one day training session about the role and function of the Child Placement Review Boards in September 1980 and October 1981. The topics for these conferences, which this investigator attended, were developed jointly with DYFS and the State Supreme Court. At these conferences, special attention was given to discussions about legal grounds for termination of parental rights, as well as presentations about the effects of separation from parents.

Summary

Study findings indicated that the majority of Child Placement Review Board members were white females and that virtually all Child Placement Review Board members had previous experience in foster care. Most Board members employment had given them some familiarity with foster care and/or Juvenile Court; while about one-third had become acquainted with the child welfare system through other kinds of volunteer service in the community. An analysis of Board member's backgrounds, then, indicated that the intent of the enabling legislation to appoint people who were familiar with foster care was fulfilled.

CHAPTER V
CHARACTERISTICS OF NEW JERSEY'S
CHILD PLACEMENT REVIEW BOARDS

According to the enabling legislation, the number of Child Placement Review Boards may not exceed the number of Juvenile and Domestic Relations Court judges authorized for each county. The effect of this provision was that the urban counties which have large numbers of youngsters in care have more Review Boards than do rural counties. There was one exception to this pattern, however, because one affluent suburban county, which had three positions for JDR judges, had a disproportionately high number of Boards for the number of youngsters in foster care.

At the time of data collection, there were 37 Child Placement Review Boards. The number of Boards within any one county ranged from one to five; and 13 of New Jersey's 21 counties had only one Board.

As mentioned earlier in Chapter I, the Child Placement Review Act (CPRA) provided a great deal of autonomy to New Jersey's 21 counties in implementing the law. For example, local Boards could decide 1) when to schedule review meetings; 2) how many cases to review at each meeting; 3) how frequently to review particular cases; and 4) whether to

insist on having DYFS present at each meeting. Study findings indicated that the 36 Boards reported in this study varied considerably on these characteristics.

Although the CPRA also permitted Boards to determine the place of their meeting, study findings indicated that 29 met in the Court House. In four rural counties, as well as one Board in a county with several Boards, meetings of the Child Placement Review Board were held in other public buildings such as schools and county administrative offices. One rural Board met in the county Freeholder's meeting room and another rural Board met at the DYFS District Office.

According to both the Board Chairperson and DYFS respondent of this rural county, locating Board meetings at the DYFS District Office had the advantage of being readily accessible to workers who regularly presented testimony to the Board. One other rural Board had originally met at the DYFS District Office, but when a staff person was assigned, the meeting place was changed to the Court House in order to demonstrate the Board's independence from DYFS. The Board Chairperson, however, felt that this change in location had the disadvantage of being inconvenient to some workers and this was reflected in the fact that they had recently stopped giving testimony.

This chapter characterizes the 36 Child Placement Review Boards reported in this study in terms of their "activism". For the purpose of this study, "activist" Boards are those which assumed an independent posture from

DYFS. For example, these Boards were more likely to question information contained in workers' reports to the Boards and they monitored many cases more often than once a year as required by law. In addition, "activist" Boards were more likely to have open communication with the Juvenile and Domestic Relations Court Judge who was supportive of their work.

In contrast, "non-activist" Boards were less likely to question DYFS reports and they were also reluctant to give frequent scrutiny to cases. Moreover, "non-activist" Boards had little or no contact with their judge and respondents felt he was not interested in their work.

Description of Activism Index Used to Characterize Boards

Five characteristics of Child Placement Review Boards were selected to measure Boards' activism: 1) whether or not Boards insisted that DYFS be present at the review meetings; 2) the frequency of review meetings; 3) the Board respondent's contact with the judge; 4) the usual number of cases reviewed at each meeting; and 5) the Board respondent's estimate of the percentage of cases scheduled for frequent review. The properties of this index are summarized in Table 4 below.

It should be noted that this investigator recognizes that some of the inter-item correlations of this activism index are weak. This index is presented, however, in order to highlight key differences observed in local Board operations.

DYFS Presence at Review Meetings. As indicated in Table 3 below, eight Boards regularly heard testimony from workers and 14 Boards regularly heard testimony from the DYFS person who was assigned responsibility for child placement review business. The remaining 14 Boards had a DYFS representative present less than 10% of the time.

A few Board respondents commented about their rationale for wanting DYFS workers present when their cases were reviewed.

We just thought it would be a waste of time to have "paper" [no DYFS person present] reviews. We thought it was important to discuss the case with the workers.

Our judge thought it was important to have workers present. He told DYFS he'd subpoena workers if they didn't attend.

Before review started, we met with the judge and the district Office Manager and we agreed that workers would attend. I think it's critical for workers to attend, because you can't get enough information from the forms.

Having DYFS present then was one way of putting them on notice that they had to answer to an outside body. The most dramatic way of conveying this message was to insist that workers attend. Having the DYFS liaison present was probably a compromise, since DYFS was generally reluctant to have workers spend so much time on review business.

(See Chapter VI.)

It was hypothesized that the time of review meetings would be related to having a DYFS representative present. That is, more DYFS staff would give testimony to Boards

meeting during regular business hours, since their work schedules were compatible with review meetings. As indicated in Table 3 below, this hypothesis was partially borne out by study findings. DYFS liaisons were more likely to attend review meetings held during regular business hours, but caseworkers were more likely to attend review meetings held outside regular business hours.

TABLE 3
COMPARISON OF TIME OF CHILD PLACEMENT REVIEW MEETING AND
DYFS PRESENCE

	(N=36)			
	DYFS Worker Present	DYFS Liaison Present	DYFS Staff Present	
Regular Business Hours	11.8	47.0	41.2	100% (N=17)
Outside Regular Business Hours	31.6	31.6	36.8	100% (N=19)

Frequency of Review Meetings. Of the 36 Boards covered by this study, 12 Boards met once a week; 16 met biweekly; three met three times a month; and six met monthly.

At the time of data collection, some two years after review was implemented, 15 Boards had reduced the frequency of their meetings.¹ In most cases, Boards which had been

¹ Data for the original frequency of Board meetings was taken from Survey Report on Implementation of the Child Placement Review Act prepared by the Association of Children of New Jersey and the State Public Affairs Committee of the Junior Leagues of New Jersey. Newark: New Jersey, November 1979, p. 20.

meeting once a week began meeting biweekly about a year after child placement review was implemented in their county.

Board respondents explained their reasons for reducing the frequency of meetings as follows:

The first year we had to review every case, but after that, we didn't have such a high volume.

After we got rid of the backlog cases, we didn't need to meet as often.

With the establishment of the third Board, we didn't need to meet as often.

Seventeen Boards met during regular business hours, including ten which met in the morning and seven in the early afternoon. Of the remaining 19 Boards, four began their meeting in the late afternoon (4:00 or 4:30 PM); 14 met in the evening and one met on Saturday mornings. While the evening and weekend hours were probably more convenient for Board members who were employed, the Division of Youth and Family Services preferred to have Board meetings during regular business hours so that staff would not accrue overtime whenever they gave testimony.

The length of time generally spent at Board meetings ranged from one to one-half hours to six and a few Boards occasionally met for eight hours. Generally meetings lasted three hours although a few Boards which met only once a month held longer sessions.

Board Respondent's Contact with the Judge. Of the 36 Board respondents, four had regular contact with their

judge. These four Board members had scheduled meetings at which they discussed concerns and sought judicial interpretation of pertinent laws. Sixteen Board respondents met with their judge occasionally and they felt he was accessible and supportive of their work. In contrast, 16 Board respondents had never met their judge; and they felt he was not supportive of their work.

Boards which had the support of their judiciary were in a stronger position to press DYFS for thorough information and well documented case plans. As will be discussed in detail in chapter VII, the support of the Juvenile and Domestic Relations court Judge was a critical factor in strengthening the Boards' role; and there were a variety of ways in which judges fostered or undermined the Boards' work. With the exception of the judge's contact with the Board respondent, there was no consistent way of characterizing judicial support, so this was selected as a general indicator in order to include consideration of the judge's influence in the activism index.

Usual Number of Cases Reviewed. Board respondents' estimate of the usual number of cases reviewed at a meeting revealed that the average number of cases varied considerably. One rural county generally reviewed only three cases at a meeting, while one of the Boards from an urban country reviewed 50 children, including many sibling groups. The average number of cases reviewed at a review meeting was 14.

The number of cases reviewed at a meeting was positively related to Boards' activism. That is, Boards which usually reviewed more than 14 cases at a meeting were more likely to be activist Boards. Boards which reviewed many cases at each meeting were those who chose to review cases before the next mandated annual review. The reasons for Boards giving more frequent scrutiny to cases are explained below.

Number of Cases Scheduled for Frequent Review.

According to the enabling legislation, the Boards must review all cases "at least annually."¹ Implicit in this provision of the law was a sanction to use a procedure commonly known as "re-review," or "relist." In instances where the Board agreed with DYFS planning goals, but wanted to closely monitor case progress, the Board scheduled the case for a subsequent review, usually three to six months later. The most frequent reasons for rescheduling reviews were to assess parents' progress towards fulfilling contractual obligations and to verify that cases were referred to the Adoption Resource Centers (ARC's).

Re-review is an effective way to keep tabs on parents.

Re-review puts a firecracker under DYFS. It gets cases moving. We always re-review when it's adoption. Otherwise another year could go by.

What we're really trying to do is force an issue. That would have been one of those cases where the child got to be 15 years old and DYFS was still

¹ Laws of the State of New Jersey for the Second Annual Session, 1977, Chapter 427, 30-4C 58.

trying to work with the parents. By re-reviewing every three months, we forced movement on the case. [The child was adopted after the parents agreed to surrender at the third re-review nine months after the initial placement date.]

Hardly a case goes by which we don't re-review. We re-review for every kind of reason, to see progress in school, to see progress of parents, to see how the case is going at the ARC. [Adoption Resource Center.]

Twenty-five of the 36 Board respondents were able to estimate the percentage of cases scheduled for re-review. The Board respondents' estimates ranged from 98% of the cases to 5%; with an average of 31 percent. (In scoring this item on the "activism" index, the DYFS respondent's estimate was used if the Board member was unable to recall how frequently cases were re-reviewed.)

The implicit message of re-review is that citizen Boards cannot rely on the social work professionals to follow through on such technical functions as working with parents or processing cases for adoption. Rather, Boards felt that it was necessary to act as a persistent overseer on DYFS in order to be effective advocates for children.

Re-review then was another way by which Boards put DYFS on notice that someone was taking careful scrutiny of cases and probably did more to demonstrate the Boards' independent role than formal disagreements with DYFS. (The law provided that DYFS may request a summary hearing before the judge if they disagreed with the Board's recommendation.) Study findings indicated that formal disagreements with DYFS plans were relatively infrequent, presumably because most children

were in the only care arrangement possible. Re-review, on the other hand, recognized the impracticability of taking immediate action (as for example, termination of parental rights when the parent had not had sufficient opportunity to plan for the child) but held DYFS accountable for taking timely action to ensure permanence for children.

TABLE 4
INDEX OF ACTIVISM OF CHILD PLACEMENT REVIEW BOARDS

	%	(N)
A. Usual Type of Review		
1.7 "Paper" i.e. DYFS present less than 10% of the time	39	(14)
2.7 Liaison regularly attends	39	(14)
3. Caseworkers regularly attend	22	(8)
		<u>(36)</u>
B. Frequency of Review Meetings		
1. Less than biweekly	25	(9)
2. Biweekly	44	(16)
3. Weekly	31	(11)
		<u>(36)</u>
C. Usual Number of Cases Reviewed		
Range from 30 to 50, mean average 14		(36)
D. Board Respondent's Contact with Judge		
1. Never	44.5	(16)
2. Occasionally	44.5	(16)
3. Regularly (usually bimonthly)	11	(4)
E. Percentage of Cases Re-reviewed		
Range from no cases to 95% of the cases		
Mean Average 31%		(34)

TABLE 4 (Cont'd)

Activism of Child Placement Review Boards Index

Range	5-40
Mean	25.70
Standard Deviation	4.58
Cronbach Alpha	.57
Number of Cases	36

Intercorrelations Among Items

	A	B	C	D	E	Item Criterion Correlation
A	—	-.37	-.01	.01	.48	.37
B		—	-.14	.17	.16	.33
C			—	.32	.45	.12
D				—	.26	.15
E					—	.75

Factors Associated with Boards' Activism

Originally, this investigator thought that county size and the presence of a social worker on the Board would be associated with Boards' activism. That is, rural and suburban counties with fewer youngsters in care would be more active than Boards covering large urban areas with high caseloads. Another reason for speculating that smaller counties would have more active Boards was a feeling that Board members in less populous counties could be more influential, since they had fewer people to deal with in their DYFS District Office.

As indicated in Table 5 below, this hypothesis was not borne out by study findings. A comparison of the activism scores of 21 boards covering highly urban counties with those of 15 Boards covering rural and suburban counties indicated that while urban Boards scored slightly higher on the activism index, this difference was insignificant.

This investigator also hypothesized that Boards having a social worker would be more activist than Boards without a social worker. The social workers on Child Placement Review Boards were in an anomalous position, for while they were identified with lay volunteers, their backgrounds were more compatible with those of DYFS staff. Presumably, social workers on Child Placement Review Boards had a similar perspective and value orientation to case planning; and therefore, they could be more influential with their colleagues within DYFS.

As indicated in Table 5 below, while the 26 Boards having social workers scored slightly higher on the activism index, this difference was insignificant.

TABLE 5
COMPARISON OF BOARDS' ACTIVISM SCORES BY SIZE OF COUNTY
AND BY PRESENCE OF A SOCIAL WORKER ON THE BOARD

ACTIVISM BY SIZE OF COUNTY	
	Mean Activism Score of Boards
Urban County	25.6 (N=21) ^a
Rural/Suburban County	24.8 (N=15)
^a $t = .9, 34 \text{ df n.s.}$	

ACTIVISM BY PRESENCE OF A SOCIAL WORKER ON THE BOARD	
	Mean Activism Score of Boards
Social Worker	25.54 (N=21) ^b
No Social Worker	24.62 (N=15)
^b $t = 1.2, 34 \text{ df n.s.}$	

Summary

Study findings indicated that Boards varied in the degree to which they questioned DYFS planning goals. The most dramatic way Boards put DYFS on notice was to hold another review of a case prior to the next mandated annual review. Boards which asserted an independent role were more likely to reschedule reviews of particular cases, to monitor parents' progress and to verify that cases had been referred to the Adoption Resource Centers.

Other characteristics of Boards which asserted themselves as independent overseers of DYFS were insisting on having a DYFS person present at review meetings, holding weekly as opposed to bimonthly or monthly meetings, reviewing more cases at each meeting and having contact with the Juvenile and Domestic Relations Court Judge.

An "Activism" index of the 36 Boards was developed to quantify the degree to which Child Placement Review Boards asserted themselves as independent monitors. These activism scores were not significantly related to county size or having a social worker on the Board. As will be discussed in Chapter X, however, these activism scores were significantly related to Board-DYFS relationships.

CHAPTER VI
DYFS DISTRICT OFFICES' RESPONSE TO
CHILD PLACEMENT REVIEW

One consequence of permitting each of New Jersey's 21 counties to develop its own modus operandi for implementing child placement review was that the Central Office of the Division of Youth and Family Services (DYFS) was unable to establish guidelines to help local offices respond to the demands imposed upon them by Child Placement Review Boards. For example, until March 21, 1980, each county had its own reporting requirements, so that during the first year and one half that review was mandated, the DYFS administration was not able to clarify what kinds of information should be shared with Child Placement Review Boards. In addition, the counties had different priorities for scheduling "backlog" cases, so the Division's Central office computer facilities could not be utilized to help local offices identify cases for upcoming review.¹

One feature of local DYFS offices' response to child placement review was common throughout the State: All DYFS

¹ Personal interview with Harold P. Rosenthal, former Deputy Director of DYFS, January 18, 1979.

local offices appointed a liaison¹ who was responsible for relating to the Child Placement Review Board(s) within the county. This similarity, however, was more apparent than real, since the extent of these liaisons' involvement with review varied considerably.

This chapter describes how the 22 DYFS District Offices which are responsible for supervising a county's foster home and residential placements organized for child placement review. (One large urban county had two District Offices.) Along with detailing the procedures District Offices developed to respond to child placement review, this chapter compares the District Office liaisons' perspectives about the difficulties they experienced in implementing child placement review and their assessment of staff's acceptance of child placement review.

In addition, this chapter briefly considers how the four Adoption Resource Centers (ARC's) were organized to participate in child placement review. Because individual units within each ARC usually developed their own way of handling review according to the requirements of the county which the particular unit covered, it was not possible to characterize an adoption office's overall procedures for relating to Child Placement Review Boards. In view of the difficulties of making an overall description of how the

¹ Within DYFS, these persons are called CPRA Coordinators, but for the purposes of this study, they are referred to as liaisons in order to distinguish them from the Board's Coordinators. (See Chapter V)

ARC's participated in child placement review, this author decided to consider the four adoption offices' involvement with review in a separate section.

Obstacles to Implementing Child Placement Review

In response to questions about what they considered the most serious obstacles to implementing child placement review, all but two District Office liaisons identified at least one difficulty; and 14 identified additional obstacles.

Both liaisons who had not experienced serious obstacles were from rural counties where the Board met bimonthly or less often. In one instance, the Board had just been reactivated after a long hiatus, so it may be that the recently appointed liaison had had insufficient experience with review to identify difficulties in its implementation. In the second county, the District Office had made concerted efforts to train the Board. Moreover, the District Office Manager and liaison had bimonthly meetings with the Board to discuss difficult cases, so it may be that the District Office had resolved any problems attendant to implementing review.

We've been able to resolve any differences through personal meetings. Also the manual has helped a lot by clarifying Board and agency roles. For example that the Board can only make recommendations.

Of the 20 District Office liaisons who identified at least one obstacle, ten faulted the Boards for making it difficult to implement review; eight liaisons identified the time required of workers to complete reporting requirements

as the most serious obstacle; and the remaining two felt that ensuring that reports were typed and xeroxed in timely manner was the most serious obstacle to implementing child placement review. In one of these counties where clerical support had been reduced, workers had to photocopy three copies of all correspondence to the Board.

You wouldn't believe this--it sounds crazy. But just the xeroxing. There's so much for the workers to copy. And then the machine breaks down. It takes a worker about 45 minutes to copy the material--if all goes well.

Of the ten liaisons who identified some characteristic of the Boards as the most serious obstacle to implementing review, four stated that the system's reliance on untrained volunteers was an untenable situation because the DYFS professional staff was more competent to assess planning goals than those mandated to review the Division's performance. This sentiment paralleled that of two other liaisons who stated that having to respond to the Boards' impractical recommendations was unnecessarily time-consuming.

They're all lay people. They don't understand.

Why the Boards are all untrained. They don't understand our clients. It's a crazy situation to have untrained people reviewing us.

The Board is always making impractical recommendations. They think we can make people go to therapy or job training. That's the problem with having untrained volunteers.

Two other liaisons felt that the most serious obstacle was coping with the Boards' vindictive attitude towards the agency; while the remaining two liaisons stated that over-

coming workers' resistance was the most serious obstacle to implementing child placement review.

Our biggest problem is that the Board is out to get DYFS. They're just looking to find what we do wrong.

The biggest problem? Overcoming workers resistance. I've had to do a great deal of work in this area.

Along with the eight District Office liaisons who identified the time expended in completing forms as the most serious obstacle to implementing child placement review, five other liaisons mentioned this as a less serious obstacle. Of these 13 liaisons, 12 were able to estimate the amount of time required to complete the Boards' reporting requirements.¹ Their estimates ranged from 20 minutes to seven hours, with an average of one and one half hours. According to one liaison, workers usually spent an entire day completing the initial placement report because they had to spend a considerable amount of time collecting necessary information.

With regard to the periodic report of a child's plan to the Board, there was a wide variety in liaisons' estimates of how long it took workers to complete this form. One liaison remarked that completion of this form required only five minutes, while two said an entire day was needed.

¹ The Child Placement Review Summary Initial (for plan within 45 days of initial placement) has a seven page form and the Child Placement Review Summary Periodic is five pages. Both forms ask for narrative describing the child's and parents' (and caretaker as appropriate) progress towards planning goals. (See Appendix C)

On the average, liaisons estimated that workers took two hours to complete periodic review forms.

Some liaisons explained factors accounting for the fact that workers needed to spend several hours completing a report to the Child Placement Review Board.

Sometimes workers need to contact foster parents to find out how the child is doing, or they have to contact them to find out if they want to adopt.

Workers often have to contact the school to see how the child is doing. That takes a lot of time... Oh, I'd say two or three hours.

On a new case, it could take a whole day, because workers need to talk with the parents and other parties to find out what the plan is.

Well in the cases where they have to get updates, like when they have to find out how the child is doing at school and in the foster home, it could take several hours...Oh I couldn't say how often they have to do this.

While all 22 liaisons were sympathetic to the increased paperwork imposed upon workers, only five felt that it was possible to ameliorate this situation by having reports to the Child Placement Review Boards replace internal reporting requirements such as the intake summary or periodic dictation. One of these liaisons explained.

I'm a task oriented practitioner and I think the form covers all the points. I like the form I... yes, I've tried to talk to the District Office Manager, but he thinks dictation is "necessary to describe the psychodynamics of the case." No, he didn't explain what he meant.

Like a few of her colleagues, this liaison also stated that workers would be more accepting of child placement review if the reporting forms replaced agency dictation.

While these five liaisons felt that the review forms adequately covered the information needed for in-house agency recording purposes, the remaining 17 liaisons stated that DYFS needed more detailed information than the space provided for on the review form. Most of these liaisons were unable to cite specific omissions, while a few stated that review forms did not include factual information such as mother's maiden name and/or dates of parental contact and that the Division needed this information.

Although the DYFS Central Office collaborated with the Child Placement Review Board Advisory Council to develop forms which could be used for in-house purposes, the Central Office allowed each local office to decide whether reports to the Child Placement Review Boards would replace in-house reporting requirements. At the time of data collection, only one District Office was using the Report of Initial Placement to the Child Placement Review Board in lieu of their intake summary.

District Office Liaisons' Assessment of Staff's Attitude towards Review.

Unless DYFS respondents volunteered the information, all were asked "At the present time, would you say that staff is enthusiastic, mildly for, somewhat critical or opposed to review?" The 22 District Office liaisons replied as follows:

Table 6

DISTRICT OFFICE LIAISONS' ASSESSMENT OF STAFF'S
ATTITUDE TOWARDS CHILD PLACEMENT REVIEW

	%	(N)
Enthusiastic	5	(1)
Mildly For	27	(6)
Somewhat Critical	23	(5)
Opposed	45	(10)
	100	22

The one liaison who felt staff were enthusiastic explained

In our last survey of [14] workers' feelings about review, one-half were very favorable to review; three or four had mixed feelings about it, because they felt some members had middle class values; and the others thought it was a waste of time. Everything that's going on affects morale, like increased paper work from everywhere. You can't isolate review.

Workers love it when the Board goes along with a plan for adoption, because that means they've got a good case [for termination of parental rights]. They always refer to this [that the Board concurred with their plan] when they go to court.

District Office liaisons who felt staff were mildly for child placement review elaborated.

I'd say right now they're mildly for review. Initially, staff resented the fact of an overseer, but since the Board has not overturned many plans, they have accommodated to review.

I'd say workers are mildly for it. Initially they were opposed because it took so much time to get caseloads up to date. Now that's over with...You have to understand that we gave intensive training to explain review and its benefits, and I think that really helped improve morale. I think that the fact that everyone was in it together has influenced their acceptance.

The fact that we have a paper review has made a big difference. I think workers would have really resented review if they had had to make personal appearances.

District Office liaisons who felt staff were somewhat critical commented.

Well they see it as a chore to be done. They think it's redundant of the permanence planning they have to do anyway.

Since some of the Board have really middle class values, they are critical. On the other hand, they support the concept of review.

District Office liaisons who felt staff were opposed to review explained.

It takes a great deal of time. A caseworker loses one half to one day on each case [to give testimony to Board]. Caseworkers resent being told what to do by non-professionals. Some workers have had teenage clients act out after review.

Philosophically, they appreciate the intent of review. They are opposed in terms of the work involved. We are increasingly being given more paperwork, and this cuts down on service. Something has to give.

The caseworkers see it as totally needless, time consuming, aggravating and one more thing to do. We had for example, at the beginning, one worker who spent more than 40 hours in one week on review, either writing reports or clarifying questions. Their [workers] whole thought was 'The Board is sitting there and we have to justify our plans to them'... It takes away from the job.

There was no relationship between District Office size or frequency of review meetings and District Office liaisons' assessment of staff morale. There was, however, a relationship between the District Office liaison's assessment of staff attitudes towards review and this investigator's ranking of the relationship between the DYFS District Office and local Boards. As indicated in Table 7 below, counties where the relationship between DYFS and

Child Placement Review Boards was positive, workers were more likely to be accepting of child placement review. (The relationships between local DYFS offices and Child Placement Review Boards is presented in Chapter IX).

TABLE 7

COMPARISON OF DYFS-BOARD RELATIONSHIPS AND
DISTRICT OFFICE LIAISONS' ASSESSMENT OF
STAFF'S ATTITUDE TOWARDS CHILD PLACEMENT REVIEW

	Enthusiastic/ Mildly For		Somewhat Critical		Opposed		Total	
	%	(N)	%	(N)	%	(N)	%	(N)
Highly Positive	57	(4)	29	(2)	12	(1)	100	(7)
Positive	43	(3)	29	(2)	29	(2)	101	(3)
Strained	-	(0)	33	(3)	67	(6)	100	(9)

General Description of District Offices' Liaisons

The District Office liaisons varied considerably with regard to their position within the District Office, their estimate of time spent on review business and the kinds of activities they undertook to manage child placement review within their county. This section compares the District Office liaisons on these characteristics; and the proceeding sections describe their involvement with child placement review.

Position of District Office Liaison Persons. Of the 22 District Office liaison persons, three also served as the District Office Manager, the highest level position within the office. In two rural counties, the District Office Manager had assumed this role since the inception of review, while in the larger county, the District Office Manager

assumed this assignment when the liaison resigned.

Two liaisons were Casework Supervisors; and six were Assistant Supervisors, responsible for one unit of caseworkers. Six liaisons had the title of Litigation Specialist, which is generally equivalent to the civil service title of Assistant Supervisor. In larger District Offices, this position is often created to relieve staff of much of the work entailed in reporting to the Court.

Four liaisons were Administrative Assistants, and these persons could have had the civil service status of Caseworkers or Assistant Supervisor. In addition to relating to Child Placement Review Boards, these persons usually had responsibility for scheduling workers' use of the office's fleet of cars and for serving as the District Office Managers' Special Assistant.

In one large District Office, the liaison's sole responsibility was to deal with Child Placement Review matters. At the time of data collection, this position had recently been created, so the person had not yet fully carved out a role for herself. It was also not clear what civil service status she had.

At the time of data collection, eight District Office liaisons had served in this capacity since review was implemented in their counties, while one had served as liaison for only two months. The average length of time liaisons had had this assignment was 20 months and all had been

employed by DYFS for some time before being appointed the CPRA liaison.

Liaisons' Estimates of Time Spent on Review Business. Nineteen District Office liaisons could estimate the percentage of time spent on review business; and their estimates ranged from 1% of their 35 hour work week to 98%. Ten liaisons reported spending no more than 10% of their time on review business; seven usually between 15% and 25% of their work week on review matters and five spent at least one-third of their time on review.

There was no relationship between the number of youngsters in placement within a county and liaison's estimate of the time spent on review business ($r=.01$). Rather, one of two other factors seemed to account for District Office liaisons' extensive involvement in review. In two counties, relationships between the District Offices and the Boards were strained; and the liaisons assumed a public relations function with the Board.

We were concerned about confidentiality, but it [disagreement about sharing third party reports] got to be too much of a hassle, so we gave in... My presence at meetings helps a lot. I can explain agency policy and get clarification from workers. We've had less disagreements because I'm there to explain things...Oh like we can't make people go to therapy or to job training. They don't understand how limited we are in what we can do...Oh yes, they want to know all about adoption subsidy.

I think our relationship is improving. I have good communication with the Boards. We discuss every case before the review and I'm prepared with updates....Another thing we've done is to have joint training sessions between workers and the

Boards. Oh we discuss how we'd handle certain cases. I sit in on all of them, and it's really helped our relationship with the Board.

In two other counties where District Office liaisons spent at least one-third of their time on review business, liaisons thought that independent review could reinforce their own efforts to promote permanence planning.

I don't say much at reviews. But I am constantly making assessments about the needs for staff training...Oh I was in favor of the [review] legislation, because I thought that outside review of our methods would be helpful. I think that an outsider can help you pick up on things you might have missed.

Review has helped workers focus on permanence goals, especially on work with natural parents. I think that there is real value to putting case goals in writing, because workers have to provide documentation for their case goals... And I also think that re-review provides an excellent opportunity to reassess where we're going with cases. In a few cases, workers have used review to let parents know that we are serious about their living up to contracts.

In the fifth county where the District Office liaison spent at least one-third of her time on review business, the District Office Manager had instituted intensive training in permanence planning for staff. In addition, the Juvenile and Domestic Relations Court Judge had informed the office that he would subpoena workers who refused to present testimony to the boards. (See Chapter VII.) In view of the judiciary's commitment to child placement review, the liaison spent considerable time ensuring that workers were well prepared.

We give each case a dry run before it goes to the Board. I chair an internal review committee where

workers go over their cases. Sometimes we make changes, especially getting more information... Oh no, I don't think it [Board review] is redundant. Let's fact it, you're going to be more careful if someone from the outside is checking on you. ...My role at review?---I try to stay as inconspicuous as possible. I'm there to give moral support to the workers.

District Offices' Internal Procedures for Managing Child Placement Review

In two urban District Offices, there was evidence that internal operations had been modified as a result of having to document case planning goals to an outside body. In both of these District Offices, all workers followed a clearly defined procedure for preparing cases for review. Moreover, the liaisons played a key role in ensuring that reports to Child Placement Review Boards provided sufficient documentation about planning goals and service activities. These two District Offices' arrangements for preparing cases for child placement review are described below.

In contrast to these two District Offices, the remaining 20 had not developed a common practice for helping workers prepare cases for review. Moreover, the degree of "hands on" involvement with review business varied considerably among these offices. These arrangements (or lack of arrangements) are detailed below.

District Office With Standardized Procedures for Child Placement Review.

As described in the section above, in one District Office, all cases were subject to an internal

review chaired by the liaison. At these meetings, the worker, supervisor and liaison reviewed progress towards planning goals and discussed appropriate next steps.

In the other county, the District Office had provided intensive training in permanence when review was initiated. This office also had developed a review form which was, in effect, a contract signed by the client and worker. (When the uniform review forms were issued in spring 1981, this District Office continued to use the original form for contracting with parents.) This District Office liaison carefully scrutinized all forms before transmittal to the Board. In the early months, she frequently returned reports instructing workers to provide time frames and/or more clearly specify what tasks the parent must complete in order to resume care. This liaison also developed her own check lists on which she tallied all reasons for returning forms for rewriting; and she met with workers and/or units whenever she identified persistent problems in completing forms. As she explained

The caseworker prepares a plan which is reviewed by the client and supervisor and is then sent to me. I review and often return for clarity ... Or I return [instructing the worker] to specify the terms of the contract and time frames. I don't return as many now as at the beginning.

District Offices Without Standardized Internal Procedures.

In the remaining 20 District Offices, staff were not required to follow a set procedure for preparing cases for review. Moreover, the involvement of the liaison in

ensuring that adequate information was sent to Child Placement Review Boards varied considerably. Five liaisons read all reports to verify that appropriate documentation was provided before transmittal to the Board; and they occasionally returned reports for rewriting. Another five liaisons read some reports; and in most instances, these liaisons were Assistant Supervisors who read reports prepared by their workers. The remaining ten liaisons did not check any reports before transmittal to the Board; and all of them estimated that less than 10% of their time was spent on review business.

Two of the five liaisons who regularly read all reports before transmittal to the Board indicated that they checked all reports because the Boards had taken issue with information presented in some of the initial cases sent to the Boards.

My reading of reports is a direct result of a problem we had on one case. The worker wrote that the children were placed because of inadequate housing and the Board disapproved, saying it was an inappropriate reason. Well after brainstorming, we realized that the mother had lots of serious problems, and inadequate housing was the last straw. Now I read all reports to catch things like that.

The Board wants specifics. So I read all the cases and if goals need clarity, I return for rewriting....Well I'd return forms if workers are vague about what parents have to do to get kids back.

The five liaisons who only read some reports either had insufficient time to read all reports or they were reluctant to check work for which fellow supervisors were responsible.

With all the other things I have to do, I don't have time to read everything. I read some to see what's going on....Well if I thought something was unclear, I'd try to talk with the worker.

All the reports are signed off by the unit secretary. She eyeballs them and if something is missing, I return them. Oh, I couldn't say how often I do that....Well sometimes workers will forget to check off a short term goal.

Oh no, I don't read reports from other units. I am very careful not to interfere with other supervisors. But I do read all my workers' reports and return them all the time. The style of social work writing has historically been vague. And for a good reason - confidentiality. If I read a report where the reason for placement was "neglect", I return it for the worker to specify behavior. I want them to think in concrete terms.

Four of the ten liaisons who did read any workers' reports explained:

At the beginning, I read all reports, but not now. The units send on their own. My job is to notify workers of the scheduled meetings.

No, I don't read all the reports. But I hold case conferences when the workers and supervisors have a question...Oh I'd say about 20% of all the cases have a conference before being sent to the Board.

The reports go through the supervisors and I get a copy. I keep a log. No, I never considered reading cases, it's more appropriate for the immediate supervisor because she knows the case. I'm not familiar with most cases, although I do remember some from when I was a supervisor.

The workers have nothing to do with review, except to fill out that very, very long form. I don't bother reading them.

Frequency of DYFS Testimony to Child Placement Review

Boards

Five District Office liaisons regularly gave testimony at review meetings; and in seven other counties, workers

presented all their cases to the Boards. In the remaining nine counties, (One of these counties had two District Offices) DYFS personnel appeared before Child Placement Review Boards less than 10% of the time.

All five liaisons who regularly attended review meetings provided updates on cases and clarified DYFS policy. Two of these liaisons elaborated

It's supposed to be a paper review. I agreed to go, because I feel strongly that workers should not have to spend their time at review hearings...In the beginning, I had to clarify policy, especially on procedures for referral to residential schools.

I go to all the reviews and basically I stick up for the workers (Emphasis added)... I am always clarifying policy. They think we can find housing for people, but that's not our role...They also want to know everything about adoption subsidy.

There was a relationship between District Office size and the practice of having workers regularly present testimony to the Boards. Of the seven counties where workers were expected to give testimony, six had less than 250 children in care.

Originally, this investigator thought that staff morale would be negatively affected if workers were required to attend review meetings to present their cases. Study findings, however, did not indicate that requiring workers to attend review meetings was associated with low morale. Of the seven counties where workers were required to present their cases, four District Office liaisons felt staff were enthusiastic or mildly for review; while three other liaisons felt staff were opposed to review.

Several of the District Office liaisons from the ten counties where DYFS did not regularly appear at review meetings commented that they thought such a requirement would have been unduly burdensome.

I'm very pleased with paper review, because it would be too hard on staff to have to appear.

I'm satisfied with review. The fact that we have a paper review means it has not placed too much stress on workers.

We try to avoid personal appearances because it's supposed to be a paper review.

But the caseworkers do go when they learn from the Court that the natural parent will be there and they suspect that they will present a distorted point of view. They also go when the Board disagrees with a plan as a way of averting a summary hearing. [See Chapter X for clarification]

The issue of having workers attend external review meetings has evoked debate in New Jersey, with many Boards wanting regular input from workers. In their view, it is necessary to have direct contact with workers in order to effect their work on making permanent plans for children. The Division, on the other hand, has been concerned that an inordinate amount of staff time will be spent attending review meetings. Moreover, since 19 of the 36 Boards described in this study meet after regular business hours, workers would accrue considerable overtime if they were required to attend these meetings.

The Adoption Resource Centers' (ARC's) Involvement with
Child Placement Review

On July 1, 1981, soon after data collection for this study was completed, the DYFS Central Office clarified that children in adoptive placements which were not paid for by DYFS were excluded from child placement review.¹

At the time of data collection in Spring 1981, all four ARC liaisons felt that a serious obstacle to implementing review was the time spent completing review forms. Of the three who could give an estimate, two liaisons thought workers needed an hour to complete a report; and one liaison estimated that only a half hour was needed.

All four ARC liaisons emphasized that the Child Placement Review Summary Periodic could not replace dictation which had to provide through documentation for use in court proceedings to terminate parental rights.

It's just too short. When you go to Court you need dates and more detail.

Oh no, we need much more information in order to go to Court.

While all four ARC liaisons read at least some reports before transmittal to the Board, staff attendance varied according to the county's practice for obtaining DYFS testimony.

All four ARC liaisons were highly critical of what they

¹ State of New Jersey, Department of Human Services, Division of Youth and Family Services, Policies and Procedures Manual II, Volume D, Section 24, Placement Review, p. 38, July 1, 1981.

according to the county's practice for obtaining DYFS testimony.

All four ARC liaisons were highly critical of what they considered to be the Boards' unrealistic expectations of adoption planning. It seems that despite their efforts to describe the time-consuming legal steps which had to be taken to finalize an adoption, many Boards continued to pressure the ARC's to expedite adoptions.

The Board just doesn't understand the process. They think that once a case is referred, the kid will be adopted in a few months. They don't understand all the steps in the legal process. Oh, I've explained it all to them, but they keep on asking us for updates. [to inquire how the child is moving to adoption]

They are constantly harassing us to ask whether kids are adopted.

It appeared as somewhat ironic to this author that while Boards concurred with ARC planning goals in virtually all instances (See Chapter X.), the ARC liaisons were highly critical of review, contending that Child Placement Review Boards placed unrealistic demands upon them in finalizing adoptions.

The problems in expediting adoptions were recognized by the ARC liaisons who emphasized that the shortage of legal staff was a major factor in their inability to move cases more quickly. At the same time, however, most liaisons were highly resentful of the Boards' scrutiny of the adoption process.

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Summary

The degree to which preparing cases was standardized within the 22 District Offices varied considerably. In two District Offices, the CPRA liaisons had clear authority for ensuring that all workers submitted adequate documentation

fore their cases. One of these counties was unique in that all cases were subject to an internal review before being reviewed by the Board.

Five other District Office liaisons took it upon themselves to read all reports to verify that appropriate documentation was provided before transmittal to the Board; and another five District Office liaisons read some reports, usually those of their immediate staff. The remaining ten District Office liaisons did not check any reports before transmittal to the Board.

District Office liaisons' assessments of staff attitudes towards review were not associated with office size or frequency of review meetings. Staff attitudes were associated with this investigator's assessment of DYFS-Board relationships. In counties where relationships between DYFS and the Board(s) were positive, workers were more likely to be favorable inclined towards child placement review.

Effective July 1, 1981 the four Adoption Resource Centers (ARC's) were less involved in child placement review, because the Division established a policy of removing children in adoptive placements from Board review. Although the Boards had approved virtually all adoption plans, the four ARC liaisons were highly critical of the Boards for pressuring them to expedite adoptions. Several Board respondents to this study emphasized their concern about the time lags in finalizing adoptions, and this problem was a persistent source of frustration for them.

CHAPTER VII

THE ROLE OF THE JUDICIARY IN CHILD PLACEMENT REVIEW

Unlike some other states where citizen panels conduct independent case review of foster care placements, New Jersey's system is under the auspices of the Court. In New Jersey, all Child Placement Review Board members are appointed by the judge serving in the county's Juvenile and Domestic Relations Court. Consequently, Board members are accountable to the Court and like other Court personnel, Board members take an oath of confidentiality, so they are not free to discuss the details of any case outside of review meetings.

What distinguishes New Jersey's system for independent case review from those of other states with Court appointed citizen panels is that New Jersey's enabling legislation encouraged each county to develop its own procedures for implementing review. For example, each county decided whether to have a DYFS representative present at meetings or whether to rely on "paper reviews". The individual counties had responsibility for providing staff to the Boards on whatever basis they deemed appropriate. Although one judge insisted that DYFS caseworkers regularly present testimony to the Board, the remaining judges either collaborated with

their Boards and DYFS or permitted these two parties to resolve this issue.

In contrast to their way of resolving the "in person" vs. paper review question, judges exercised direct influence over staffing arrangements for their Board(s). A few judges prevailed on the Freeholders (county governing body) to appropriate funds for new staff position.

Our judge did not want to go about this in a half baked way. He wanted a full staff who had no other responsibilities than child placement review.

We have some good people who were reassigned to us. Our judge wanted good staff.

Most judges, however, assigned available Court personnel to staff the Boards in addition to their regular duties.

We wanted a full time Coordinator, but he has a few cases in the Probation Office.

Our Coordinator works in [Juvenile Court] Intake. I don't know what percentage of her time she works for us.

The judge's secretary is very capable...Oh I don't know if she gets overtime for evening meetings.

The arrangements for staffing the Child Placement Review Boards varied widely, with some counties having both professional and secretarial support while other Boards lacked adequate staff. This chapter compares the staffing arrangements for the Child Placement Review Boards in New Jersey's 21 counties and describes other ways that judges influenced child placement review.

Staffing Patterns for Child Placement Review Boards

At the time of data collection some two years after

review was implemented, all 36 Boards described in this study had some staff support. As indicated in Table 8 below, nineteen counties had at least one profesional staff person, generally referred to as the Coordinator, while the remaining two counties had only a secretary who was usually the judge's secretary. In one of these counties the lack of professional staff was not seen as a problem for Board respondents, because DYFS personnel attended all Review meetings and assumed most of the follow up work performed by Board Coordinators.

If it wasn't for those two girls [DYFS supervisors who served as liaisons to the Board] we'd have problems. They'll do anything for us. They always get the additional information we ask for.

The Board Chairperson from the remaining county did not comment about the lack of professional staff, although the description of staff implied that she found their staffing arrangements satisfactory.

The Coordinator, or the secretary in counties where Boards did not have professional staff, took minutes at review meetings and was responsible for overseeing all administrative details, such as scheduling cases for review, ensuring that all clients were sent notices as required by law and making sure that all Board recommendations are transmitted to the judge.

In most counties, the professional Coordinators had additional responsibilities such as Probation Officer, or Intake Worker for Juvenile Court. Although another survey

of New Jersey's Child Placement Review Boards indicated that many Board staff worked on a part-time basis,¹ this study cannot describe Board staff's roles in terms of full time/part time status, because most Board respondents were uncertain how much time their Coordinator spent on review business.

Board respondents from 27 of the 32 Boards having professional staff stated that their Coordinator contacted DYFS to supplement caseworkers' reports to the Boards. Fifteen Board respondents stated their Coordinator decided when it was necessary to contact DYFS to obtain additional case information so that the Board would have sufficient information to recommend a case plan. Twelve other Boards stated that their Coordinators contacted DYFS when so directed by them. Six of these Coordinators followed up on the Boards' requests prior to the meeting while six did so after the board met.

Our staff has to spend a lot of time reading DYFS files to get more information. Oh no. They do it on their own before review meetings.

That's part of this [Coordinator's] job to get more information from DYFS.

We have a funneling system. Board members call me with their questions prior to review, and I call the Coordinator with all questions and she gets the information by the review meeting.

Whenever we've asked our Coordinator to get more information, she's done it.

Seventeen Board respondents stated that their

¹ Ibid, p. 80-9.

Coordinator contacted clients to encourage their participation at the review meetings. According to Board respondents, eight Coordinators routinely contacted all available natural parents, while nine Coordinators did so upon direction from the Board.

In addition to telephoning clients, one Coordinator who served half time as a Probation Officer, sought out missing parents in the community. Both the Board Chairperson and the DYFS District Office of this rural county were most pleased that the Coordinator had located parents, many of whom had begun working with DYFS to plan for their child's return.

Our Coordinator does a very good job of locating parents. He's a Probation Officer and I think he has more resources than DYFS.

I'd [DYFS Liaison] say that 25% more parents are in contact with us. That's the beauty of the law. Now everyone, the worker and natural parent is very clear about their role.

Board staff in one urban county frequently made field visits in order to provide independent assessments of clients to the Board. Similarly, Board staff in another county occasionally made field visits.

Approximately one-third of those interviewed volunteered their assessment of Board staff. The contribution of the Board Coordinator was emphasized by nine respondents, who praised their diligence in working with DYFS to obtain all pertinent information.

One county was unique in that both the Board

Chairperson and DYFS initiated the research interview with comments of high praise for the Coordinator. This Board Chairperson attributed their success in advocating for permanence to the Coordinator's tactfulness in working with the agency; while the DYFS respondent stated that the District Office had been able to live with review because the Coordinator was always available for discussion.

That woman would do anything for us. Whey she'd even bake a cake if we asked her! ...Yes, she discusses everything with DYFS and she contacts parents if she thinks it's necessary.

We've been able to live with review because of [name of Coordinator]. We can always work things out.

Eight other DYFS respondents also felt that the Coordinator had facilitated review. Frequently, Board Coordinators' "tactfulness" was mentioned as their outstanding quality.

She's extremely tactful and a good mediator. She's able to put both of us [District Office and Board] in line.

He understands the system and is always open.

In contrast to these nine Boards with outstanding staff, three Board respondents were critical of their professional staff, for they maintained that their Coordinators were not assertive with DYFS in obtaining sufficient information about cases so that the Board could make informed recommendations. One of the Board respondents also criticized their staff's lack of assertiveness with the Judge in pressing for summary hearings to resolve controversies with the agency. The remaining Board respondents made no speci-

fic comments about staffing arrangements.

They're not assertive in pressing the agency for information.

----- What can I say? They're young and easily intimidated. They won't stand up to anyone. Especially the judge. I mean you and I are mature professionals and we'd just sit the judge down and say, now look Judge, this and this has to be done.

Five DYFS respondents also criticized Board staff.

Unlike Board respondents who were critical of staffs' acquiescence to DYFS, the DYFS respondents maintained that Board Coordinators were either undiplomatic or made arbitrary decisions. Three DYFS respondents cited examples of what they considered to be poor judgment on the part of Board Coordinators. For example, one DYFS respondent stated that the Coordinator bypassed the Board and referred a case for a judicial hearing when a parent told her she wanted her child returned. According to the DYFS respondent, this Coordinator also admonished a foster mother for agreeing to care for a very troubled foster child whom the Coordinator felt might upset the other foster child in the home. Similarly, another District Office respondent stated that the Board Coordinator intimidated clients when she telephoned them to supplement the caseworker's report.

She told the foster mother she had no business taking in another child, because it would upset her other foster child. The woman was very insulted.

She's very intimidating, and they [foster parents] don't understand her role.

The District Office respondent from another county was severely critical of Board staff who made home investiga-

tions. In her experience, one Board investigator wanted to close a foster home because an infant slept in a carriage during the daytime.

Talk about being middle class! They [Board investigators] criticized a foster mother for letting an infant sleep in a carriage in the living room during the day...I always did that with my children and there's nothing wrong with it.

The Board Chairperson, however, referred to this case to demonstrate the importance of independent investigations, because he felt that their staff had uncovered a case where foster parents had grossly inadequate facilities. According to the Chairperson, the foster mother refused to let the Board investigator inspect the second floor of her home, because she had no crib for the infant.

One Board's professional staff person served as a consulting attorney rather than a Coordinator. According to the Board Chairperson, his interpretation of abuse and neglect statutes at review meetings had been invaluable in helping the Board make appropriate recommendations.

In terms of secretarial support, five of the 36 Boards could not be assured that all Board recommendations and correspondence were typed. Six other Board respondents acknowledged that they had experienced some difficulty in obtaining secretarial support. In one rural county, a Board member had volunteered to type recommendations. Interestingly, when it became apparent that she would not be relieved of this extra assignment, she resigned from the Child Placement Review Board.

The typing just got to be too much. It just took too much extra time.

This investigator was struck by the lack of support ~~staff for several~~ Child Placement Review Boards. Although the intent of the law was to utilize lay citizens who could be impartial because they were not compensated, it appears clear that even volunteer activities require administrative support to maintain correspondence, prepare reports and follow up on matters when volunteers are not available.

The lack of secretarial resources for some Boards would suggest that a few counties were not interested in having a viable system for foster care review. Here again, it must be pointed out that the enabling legislation's failure to specify standards for the staffing of Child Placement Review Boards had the consequence of permitting counties to undermine the intent of the law.

The Judiciary's Influence in Defining the Scope of Child Placement Review

In 16 of New Jersey's 21 counties, Child Placement Review Boards monitored all placements supervised and paid for by the Division of Youth and Family Services (DYFS). In contrast, judges in the remaining five counties excluded cases where older adolescents were in independent living situations and DYFS provided a living allowance. In one urban county, the DYFS liaison stated that these cases were excluded because "the judge did not consider independent living a placement." Respondents from the remaining four

counties which included both urban and rural communities, did not offer an explanation for the decision to remove independent living cases from child placement review. It may also be worth noting that only one Board Chairperson was aware that cases where youngsters were in independent living arrangements were excluded from review, whereas all five DYFS liaisons were aware of the limited scope of child placement review in their counties.

One rural county where independent living cases were excluded from child placement review placed further limitations on the scope of review. In this county, the judge decided that it was redundant for the Board to review Court ordered protective service cases, because previous legislation mandated that the judiciary monitor these cases before renewing the protective service orders. Since the Child Placement Review Act (CPRA) required that the judiciary approve all case and service plans recommended by the Board, this judge thought it was inappropriate to subject these cases to a double review.

Although it was not possible to pinpoint the exact number of children whose placements and service plans were not monitored by Child Placement Review Boards, available statistics can provide an estimate. As of March 31, 1981 there were 244 youngsters throughout the state in independent living arrangements. Taking into account the regional breakdowns and considering the size of the five counties where independent living cases were excluded, this author

estimates that some 75¹ youngsters in independent living arrangements were not subject to child placement review. In addition, this author estimates that another ten cases from the rural county were protective service cases, were not monitored and were also excluded from review by the Board.

Admittedly, eliminating some 85 cases from the 12,000 placements supervised and paid for by DYFS constitutes a minor limitation to the scope of child placement review. Nevertheless, the fact that five counties were able to exclude cases from scrutiny by independent reviewers raises broader policy questions, namely the inconsistent implementation of a state mandate.

¹ New Jersey Department of Human Services, Division of Youth and Family Services. Distribution of Child Case-load by Placement Type. March 31, 1981, Trenton, New Jersey D.M.R. STAT IC.

Table 8: COMPARISON OF STAFFING ARRANGEMENTS FOR NEW JERSEY'S CHILD PLACEMENT REVIEW BOARDS

County	Number of Boards	Number of Clerical Persons Assigned to Board	Number of Professional Staff	Did Staff Contact DYFS?	Did Staff Telephone Clients?	Did Staff Make Field Visits?
Atlantic	1	1	1	yes	no	no
Bergen	3	1	2	yes	yes	yes occasionally
Burlington	1	1	1	no	no	yes
Camden	2	1	1	yes	yes	no
Cape May	1	1	1	yes	yes	no
Cumberland	1	0	1	yes	yes	no
Essex	5	1	1	yes-for three Boards	yes-for two Boards	no
Glouster	1	1	1	no	no	no
Hudson	4	1	1	yes-for two Boards	yes-occasionally for one Board	no
Hunterdon	1	1	1	yes	no	no
Mercer	1	0	2	yes	no	no
Middlesex	3	2	0	no	no	no
Monmouth	2	1	1	yes	no	no

Table 8: COMPARISON OF STAFFING ARRANGEMENTS FOR NEW JERSEY'S CHILD PLACEMENT REVIEW BOARDS
(cont'd p. 2)

County	Number of Boards	Number of Clerical Persons Assigned to Board	Number of Professional Staff	Did Staff Contact DYFS?	Did Staff Telephone Clients?	Did Staff Make Field Visits?
Morris	1	0	1	yes	yes	no
Ocean	1	1	1	yes	no	no
Passaic	2	1	3	yes	yes	yes
Salem	1	1	0	no	no	no
Somerset	1	1	2	yes	yes	no
Sussex	1	0	1	yes	yes	no
Union	3	2	1	yes	yes-for two Boards	no
Warren	1	0	1	yes	no	no

Judges' Relationship with Child Placement Review Boards

As stated earlier, all Child Placement Review Board members were appointed by the Juvenile and Domestic Relations Court Judge in their county. Beyond this commonality, however, there was wide variation in how the judges related to Board members. At the time of data collection some two years after review was implemented, 16 of the 36 Board respondents had never met their judge. These Board members had received a letter of appointment but had had no in person meeting.

Oh no, I've never met the judge. I received a letter [of appointment] and that was it. A little while ago, the Chairpersons decided to meet at monthly dinner meetings with the Coordinator. We plan to invite the judge.

No, I never met the judge.

In one rural county, the judge avoided contact with the Board even when they pressed him for clarification of their role. Soon after child placement review was implemented in this county, this Board asked him to clarify the extent to which they could challenge DYFS case plans. In this instance, all communication was conducted through the judge's secretary who was the only staff to the Board which met during the evening.

Oh no, we've never met the judge. One time--it was in the early stages, we wanted clarification of how much we could force the agency to go along with our recommendations. We communicated with him through his secretary [who was the only staff to the Board]. He didn't meet with us...well he said...he wasn't too helpful.

Twelve other Board respondents had met their judge occasionally and most were satisfied that they had open communication with him.

Oh well I see Judge [name] in Court all the time, so I can always speak to him if I need to.

Well I don't have a formal meeting time, but I could always talk to [name of judge] if I wanted to.

I can talk to him when I need to.

Four other respondents had been interviewed by the judge prior to the appointment; and one of these Board respondents, who was a Chairperson, added that during their interview, the judge emphasized he wanted Board members to be willing to challenge the agency whenever they deemed this appropriate.

Oh I met Judge [name] when I was appointed. He told me about the law and what our responsibilities were.

Well our judge interviewed everybody before appointing them. At my interview he asked me how I felt about taking on DYFS. When I said I had no problem with that, he told me I was the right person for the Board.

Only four Board respondents had had regular contact with their judge. In one urban county, one of the Board Chairpersons had monthly meetings with the judge to give a summary of the Board's activities. In another urban county, the judge met bimonthly with the Board Chairpersons to discuss pertinent issues and problems. For example, on one occasion, the Board Chairpersons shared their concern that the DYFS District Office would be unable to prepare reports to the Board while they were converting to an MIS system and

the judge intervened to inform the District Office that he expected them to continue preparing cases for child placement review.

Oh I have no problems with Judge [name]. Why he meets with us every so often--about every other month--to find out how things are going. We can bring up any problems. For example a few months ago, DYFS told us they couldn't send any cases because they were going on computer. When we told that to Judge [name], he said "That's unconscionable! I'll order them to send the forms to you." And we got cases.

As indicated in Table 9 below, there was a significant relationship between the time the Board met and the frequency of contact with the judge. Of the 22 respondents from day Boards, 14 had met with their judge, whereas only six of the 14 Board respondents whose review meetings were held during the evening had met their judge.

TABLE 9
COMPARISON OF TIME BOARDS MET AND BOARD MEMBERS' CONTACT WITH THEIR JUDGE^a

	Number of Boards Whose Meetings Started During Regular Business Hours ^b		Number of Boards Whose Meetings Stated Outside Regular Business Hours	
	Number	Percent	Number	Percent
Number of Board Respondents Who Met Their Judge	14	63	6	43
Number of Board Respondents Who Had Not Met Their Judge	8	37	8	57
Total	22	100%	14	100%

^a $\chi^2 = 6.5$, 1df $p < .02$.

^b Boards which started their meetings in the late afternoon (4:00 or 4:30 p.m.) are included, since these Board members could meet with their judge during regular business hours.

Despite the possible difficulties in scheduling, it was surprising that more than half of the Board respondents had never met their judge. Since all Board members are supposed to take an oath of confidentiality, it would seem that at a minimum, Child Placement Review Board members could meet with the judge when he administered the oath. At this time, the judge could recognize the value of their volunteer service and clarify their role. The importance of recognizing the contribution of Child Placement Review Board members was emphasized by several respondents who generally felt that the lack of recognition had made it difficult to recruit members.

That's our biggest problem! Nobody knows about us. I wish we had more publicity, so that the community would know about us.

Well people aren't beating down the doors to volunteer their services. We really need to get more people to know about us.

That's our biggest problem--getting new members. I mean who knows or cares about child placement review?

With regard to recruitment of Board members, 11 Board respondents stated that their judges encouraged them to suggest persons for appointment for the Board. The remaining 25 Board respondents either were not aware of how members were appointed or stated that the judge had his own system. One Board respondent felt rebuffed because the judge had ignored her recommendations for new members.

Judicial Delays in Approving Board Recommendations

According to the provisions of the Child Placement Review Act, the Boards must submit a written report to the Juvenile and Domestic Relations Court and DYFS within 10 days of the completion of their review. The judge must then issue an order concerning the child's placement "which it deems will best serve the interests of the child."¹

Although a Court rule (5:7B) places a 21 day time frame on the issuance of the court order, Board respondents in two counties were concerned about delays in having the judge sign an order.

Two Boards members stated that their judges had taken over three months to read their recommendations and sign an order. In both counties, the problem of delayed court orders had been corrected, but both respondents had emphasized that it had been an extremely frustrating experience.

We've had problems getting the judge to sign the order. It gets discouraging after we've done all that work and our recommendations just sit there.

A while back, we had cases sitting for seven months because we didn't have a Judge. Now Judge [from another rural county] comes over about every month and he signs the orders. It isn't a problem now.

Although delays in the judges' signing of Board recommendations was not widespread, this problem provides another example of the consequences of the lack of standardization.

¹ Laws of the State of New Jersey for the Second Annual Session, 1977. Chapter 427, 30:4C-61. See also 30:4C-61.

In these two counties, the impact of outside review was probably minimized, because DYFS would be less inclined to heed recommendations which were not sanctioned by the Court.

Here again, then, is another example of the inconsistent implementation of New Jersey's Child Placement Review Act.

Judges' Overruling of Board Recommendations

In four counties, the Board Chairpersons felt that the judge had undermined their role and sided with DYFS. In three of these counties, the DYFS liaisons stated that whenever the District Office disagreed with a Board recommendation, they discussed the case with the judge who generally agreed with them that the Boards' recommendation was unrealistic.

When the Board disagrees? I just discuss the case with the judge and tell him why we don't want adoption. He goes along with us.

Well when the Board disagrees with us, I just discuss the case with the judge and he goes along with us...in most of the cases, the Board wants adoption, but we have no basis for termination. The judge understands our point of view.

We just discuss the case [where the Board disagrees with us] with the judge. He goes along with us.

The judge from the county whose DYFS liaison is quoted second stated that it was necessary to support the District Office's plan for long term foster care and that the Board was naive in thinking that adoptive homes could be found for older adolescents.

Why, they're gung ho adoption. They recommend adoption for 15 year olds! I just can't sign

those orders. It's unrealistic to think of adoption for these kids.

It may be worth noting that in this county, the Board had difficulty obtaining a quorum for its daytime meetings, and the Chairperson was particularly discouraged about the lack of judicial support.

The judge has refused to convene a summary. We're not consulted about cases....The Review Board is only as effective as its Juvenile Judge. If the Board has the backing of the judge, ...then DYFS can figure it out and will take it seriously. That's our problem.

In the second county, where there was no secretarial support, all five of the original Board members had tendered their resignations by Spring 1981. The former Chairperson cited lack of judicial support as his reason for resigning.

Well the whole thing's a mess. DYFS is understaffed. And we get no support from the judge. We recommend adoption and he goes with the agency in favor of the parents.

What was particularly interesting about the third county was that until winter 1981, the Boards were not informed of the judge's orders, and two Board Chairpersons were not only puzzled but quite discouraged about this lack of feedback.

No, we don't find out what the judge does with our recommendations. We'd like to, but we don't.

Oh no, we don't have any way of knowing what happens to our recommendations.

Although these Board Chairpersons had no communication with the judge, another Board had received high praise from him.

Oh I'm thrilled with review. Why Judge [name] has told us it's cut his work 25%. He thinks we're a big help.

It is worth noting that the enabling legislation does not require the judge to inform the Board of his disposition. Here again, however, it would seem appropriate that the judge recognize the Board members' service by informing them of how he disposed of their recommendations.

Judicial Involvement with Parents

One other judge's practice in an urban county should be mentioned. He had instructed his Boards to refer cases directly to him whenever parents refused to give testimony to the Boards, so that he could subpoena their appearance at a court hearing. This judge had instituted this practice in order to emphasize to parents the importance of timely planning for their youngster(s) in care. In this judge's experience, the Court was often better able to impress parents of their rights and obligations than caseworkers; and he preferred to have this contact with parents before it was necessary to initiate proceedings to terminate parental rights.

When we can't get a parent to come in, we just send the case to Judge [name]. He can subpoena them and get the case moving.

Oh we just send the case to court when we want to see parents and they refuse to come in.

Summary

This chapter described various judicial practices which may have undermined child placement review on the local level. The most persistent problem was that many judges failed to recognize and support Board members' volunteer service. For example, 16 Board respondents had never met their judge, two were discouraged that there had been long delays in their recommendations signed as court orders; two other Board respondents were rebuffed because the judge had overruled their recommendations without convening a summary hearing; and two others were somewhat skeptical about their role, since they were not informed about how the judge disposed of their recommendations.

Lack of judicial support can be a serious impediment to accomplishing the intent of the enabling legislation, since Boards are virtually powerless without a strong commitment from the Court that high priority will be given to the recommendations of citizen panels. The advantages and disadvantages of placing the Child Placement Review Boards under the auspices of the Court will be addressed in the concluding chapter.

The influence of the judiciary was also manifested in staffing arrangements for Child Placement Review Boards, since the Juvenile and Domestic Relations Court Judge was authorized to appoint "adequate" administrative and clerical support. In all but two counties, Boards had professional staff who contacted DYFS to obtain supplementary informa-

tion. In ten counties, these Coordinators also contacted parents, foster children and foster parents to elicit their views about planning goals; and in three of these counties, Board staff made home visits to interested parties.

Four counties lacked adequate secretarial support; and in one county, a charter Board member finally resigned when it became apparent that she would have to continue to do all the typing. Lack of adequate staff support for Child Placement Review Boards has been a major source of concern of the proponents of review; and the consequences of relying on local funding for Board staff will be discussed in the concluding chapter.

CHAPTER VIII
A COMPARISON OF BOARD AND DYFS PERSPECTIVES
ON FOSTER CARE PLANNING

Prior to the implementation of the Child Placement Review Act (CPRA), there was concern among DYFS staff that Child Placement Review Boards would frequently challenge their case plans. Numerous disapprovals of DYFS planning goals would not only be demoralizing to staff, but would also be counter-productive, since social workers' availability to provide direct service would be reduced if they had to defend many of their plans before the Court.

Such fears that the Board would challenge most DYFS plans were soon dispelled. The experience of the first three months of child placement review indicated that statewide, local Boards concurred with DYFS plans 95% of the time.¹

Despite this high degree of congruence between the Boards and DYFS during the early months of child placement review, this investigator's initial exploration of New Jersey's experience with independent case review indicated that a few workers' were concerned about the way Boards

¹ DYFS: Internal Memorandum to high level official, Trenton, New Jersey: December, 1978

reviewed cases. In their contacts with Board members, virtually all of whom are of middle and upper middle class status, a few caseworkers had witnessed incidents where Board members had been unduly harsh in assessing the strengths of lower class clients. These DYFS staff criticized the Boards for taking issue with DYFS plans to return children to parents with a history of abuse, addiction or mental illness. According to these workers, Board members failed to appreciate that parents could change; workers, on the other hand, were more willing to discount parents' previous difficulties if parents could make a viable plan for their child.

Similarly, a few other workers had raised concern that Board members disapproved of placements where the child and foster parents were of different religions. According to these workers, matching children and foster parents was secondary to considerations of foster parents' ability to provide care for troubled youngsters, and they resented Board members who disapproved of cross-religious placements.¹

The tendency for some volunteers on foster care review

¹ Louise Murray, "How New Jersey Caseworkers Perceive Independent Case Review" Child Welfare, LX, 5 (May 1981) p. 340.

² John R. Conte, Shirley M. Buttrick, Gaylord Gieseke A Qualitative Evaluation of Citizen's Review Boards in Four States. Chicago, Illinois: Center for Social Policy and Research, University of Illinois at Chicago Circle and League of Women Voters of Illinois. January 1981, p. 111.

panels to impose middle class biases on clients had been observed in Maryland² and it was of interest to explore this phenomena in the study reported here.

In all fairness to members of Child Placement Review Boards, it should be recognized that social workers have also been criticized for imposing middle class values on clients,¹ so clearly this problem is not unique to members of citizen review panels. In the context of this study, however, it is important to consider whether Board members manifested middle class biases and whether DYFS perceived the Boards as imposing their personal preferences on clients.

This chapter compares Board members' and DYFS liaisons' perspective about foster care planning. For example, such issues as the role of natural parents, standards for foster parents, cross-religious placements, the appropriateness of long term foster care, and approach to termination of parental rights are discussed. The following chapter continues this discussion of areas of agreement and disagreement by detailing several cases where the Board challenged DYFS case plans.

Importance of Natural Parents

Unless interviewees mentioned that the most optimal

¹ Scott Briar, "Use of Theory in Studying Effects of Client Social Class on Students' Judgments," Social Work Vol. 6, No. 4, (July 1961) pp. 91-97.

plan for a child was reunification with family, they were asked "Do you think children should be returned home only when the natural parents can provide as good a home environment as the foster parents?"

when the natural parents can provide as good a home environment as the foster parents?"

All 36 Board members and all 26 DYFS liaisons (that is, the 22 liaisons from the District Offices and four from the Adoption Resource Centers), were emphatic in stating that children belonged with their families whenever they could provide minimal standards of care. Many Board members commented that while most foster parents frequently could offer children a higher standard of living, especially better schools, children belonged with their parents, and that in the long run, children were better off living with their families even if they could not provide a high standard of living.

A few Board respondents explained their thinking about the primacy of parents as follows:

Oh no, I don't think material things are all that important. I really believe that children belong with their parents if at all possible.

I know that most parents live a lot differently than I do and probably the way you do. But children belong with their parents. That is the best place for them.

If kids are from a lower socio-economic group, their life is going to be rough. But if parents can provide the basics, food, some decent--not fancy--clothing and get them to school, then that's fine.

You know, if we think of the immigrants on the Lower East Side, they didn't have much. But most of their kids turned out all right. Yes, kids should be with their parents whenever possible.

The agency [DYFS] goes overboard to return children home. Sometimes it breaks your heart to see the home the kid is leaving and the home he's going to. But if it works for them, they belong in their own home, even if it's a two room apartment. It's more important to live with you mother than to have your own room.

Although all Board respondents to this study agreed in principle that parents were the most desirable resource for children in care, 13 District Office liaisons felt that Board members reacted negatively to the Division's plan to return children to parents with deviant lifestyles. Seven liaisons felt all Board member were unnecessarily critical of parents, while the remaining liaisons stated that some Board members were unduly harsh on parents.

Ten DYFS liaisons criticized Board members for failing to recognize that parents with a history of abuse could ever be effective parents. Most frequently, cases where parents had sexually abused children were a source of contention, with DYFS stating that parents had benefited from counseling, while the Boards felt that children should not be returned home.

Whenever there's abuse, the Boards tend to favor continuation in care. They're against return home in these cases.

Whenever there's abuse, they're against return. They don't think people can change.

Why the Chairperson reffered to one unmarried mother as "a gypsy and a tramp" who does not deserve to have her child. This Board, and especially the Chairperson, doesn't understand

the concept of parental ties.

The remaining three liaisons who were from both urban and rural counties, stated that Board members frequently expressed reservations about DYFS decisions to return young children to unmarried mothers who were supporting themselves on welfare. It seems that these Board members felt that these young women should be employed or enrolled in job training as a condition for having their children returned.

The Board members usually criticize our plans for discharging kids to young mothers who plan to support themselves on welfare. They think we can make them get a job. They're [Board] not very realistic about what we can do.

Talk about middle class! They go up the wall when they see a plan to discharge a kid whose mother is on welfare.

Our Board is against young mothers on welfare. They think they should have a job or be in a training program.

Another Board Chairperson expressed her frustration that she was not able to convince her fellow members to disapprove plans for returning children to teenage mothers whom she felt were unable to cope with the demands of infants and toddlers. She had been overruled by other Board members and the DYFS liaison did not think her Board members imposed middle class values on clients.

It bothers me that these young girls are getting their babies. Why they don't know the first thing about caring for a child. And what kind of a life is living on welfare?

Assessment of Foster Parents

Two Board members acknowledged that their own middle

class values had influenced their assessment of foster parents. Both respondents, who were professionally employed and represented both a rural and an urban county, had taken issue with cases where youngsters were placed with unmarried foster parents. The Board member from the urban county stated that social workers, who tended to be young blacks and Hispanics, had derided him for having old fashioned Anglo values.

You have to understand that most of the workers, who are black and Hispanic, are young kids. When we asked them if the foster parents are married, they laugh and say that's not important!... But I think a legal marriage means something. It shows a stable relationship. The other Board members who are black and Hispanic agree with me.

The other Board member stated that DYFS had insisted that the unmarried foster mother was the only resource for a particular male adolescent who had absconded from several previous placements.

I guess it was a bias on our part, but we disapproved of him living with a young unmarried woman and her boyfriend.

Two other DYFS liaisons felt that Board members were unduly harsh in their assessments of foster parents. Both of these liaisons, who were from rural counties, emphasized the difficulty of recruiting foster parents and emphasized that Board members had unrealistic expectations about the living space provided by foster parents.

No, we don't find the Board coming down hard on parents, but foster parents, that's a different story. Why, the Board thinks all foster parents should live in neat houses with white picket fences. They don't understand how hard it is to get foster parents.

We have a hard time getting foster parents and the Board has unrealistic expectations.

Cross-Religious Placements

With regard to placing children with foster parents of a different religious background, nine Board respondents disapproved of this practice, because in their view, cross-religious placements made it even more difficult for children to feel part of the foster family.

These kids have enough problems without adding religious differences. I know, my father was Jewish and my mother was Catholic...they worked it out, but it's a strain.

I think religion is very important to these children, and they [children and foster parents] should all go to the same Church. Oh, I think it's more family-like if everyone goes to the same Church.

In contrast to these nine Board respondents, the remaining 27 Board respondents (one of whom was a clergyman) felt that it was not necessary to match children and foster families on religion.

It's not important. Most of these kids have no religion.

Religion is not important to these kids.

These kids usually don't have a religion, so it's not an issue.

I don't think matching on religion is important. You need to look at the individual's qualities.

Similarly, all DYFS liaisons concurred that it was not necessary to match youngsters and foster parents on religion.

Today we [DYFS] don't even talk about religion. I think that information is unnecessary on the pink form [45 Day Review of Placement Initial]

Most of these kids don't have a religion, so it's not an issue.

It's important to match on religion for adoption but not in foster care.

At the same time, however, about one-third added that when youngsters were placed with families of different religions, DYFS had a responsibility to clarify with the foster family what arrangements would be made to allow children to observe their religious practices.

It's [cross-religious placement] okay as long as the foster parents agree to bring the child to his Church.

We [DYFS] have a responsibility to make sure that foster parents take the child to Church.

Some Boards think religion is important. We found ethnicity more important. We [the Board] want kids to get religious training, because if foster parents make the effort, it's an indication of the caring.

Seven Board respondents and five DYFS liaisons also stated that it was necessary to give additional consideration to cases where religious beliefs imposed special dietary restrictions and/or less conventional devotional practices.

Well, it's [cross-religious placement] okay as long as there are major differences. We [DYFS] wouldn't put a Muslim child in a Catholic home, because the child couldn't eat a lot of things the foster family ate.

Another Board Chairperson observed that since it was usually difficult for Seventh Day Adventists to cope with acting out children, it might be appropriate to avoid cross religious placements when either the child or foster parent was of this faith.

It's [cross-religious placement] okay unless it's a wierd religion, like Seventh Day Adventists. These people can't tolerate acting out kids. I don't think it would be a good idea to place other kids [that is, youngsters who are not Seventh Day Adventists] in these homes.

Appropriateness of Long Term Foster Care

Towards the conclusion of the interview, all study respondents were asked to comment about the appropriateness of long term foster care. Specifically, they were asked "Do you think permanence planning of return home or adoption is a realistic goal for all children or do you think that there will always be some youngsters in long term foster care?" All 62 respondents concurred that it was inevitable that long term foster care would be the only viable plan for some youngsters.

Many Board respondents regretted having to admit that some children would never be able to be reunited with their families or adopted, and several believed that child placement review would significantly reduce the number of children whose only option was long term foster care.

It kills me to say it, but some kids will always be in long term foster care.

No, I'm afraid that long term foster care will have to be it for some kids. But I think review will reduce that number.

No...some kids can never go home or be adopted.

There'll always be kids in long term foster care, just like there'll always be some people in institutions.

Two Board Chairpersons who had served since the incep-

tion of child placement review were less apologetic about long term foster care. The Chairperson from a rural county felt that foster parents could be committed to raising a child until his majority even if they rejected adoption.

The foster parents may not want to adopt, but that doesn't mean that they would want them to go someplace else."

The other Chairperson, who was from an urban county, elaborated how his thinking had changed:

You have to understand that when these Boards were set up, we all thought that adoption was the magic answer. I think now [April 1981] most of us are disabused of this notion because that's really just a proforma step that may or may not be meaningful to the people involved... We had a 'fairy tale view' of child placement review at the beginning. We thought that every child could be adopted by Mr. and Mrs. Right in the suburbs... Oftentimes, adoption is not possible because parents cannot afford medical care.¹

This Chairperson recalled a recent case to illustrate the appropriateness of long term foster care.

We had a case of a fourteen year old boy whose parents were mentally retarded. He told us 'I love my mom and dad, but when I go there, I have to work and clean. I shouldn't have to do that.' He wanted long term foster care and so did the foster parents. If that had been one of the first cases, we'd have said 'terminate parental rights and get him adopted.'

Another Chairperson from a Board in the same county felt long term foster care was appropriate for youngsters who had ties to their handicapped parents. (See next

¹ Although New Jersey offers adoption subsidy to families with moderate income, foster families who adopt healthy children are not reimbursed for routine medical and dental care, whereas foster children are covered by Medicaid for all medical needs.

chapter). At the same time, however, he opposed long term foster care in cases where the foster parents refused to adopt. As he explained:

It takes about a year or so to have 'gentle pressure' for foster parents to adopt. Caseworkers are misinformed about adoption. Once you explain that the decrease [from foster board payment to adoption subsidy] is not that much, it's less of an issue. The loss of Medicaid is no big deal, because private insurance will pick that up. This [Board's explanation] helps a lot.

Similarly, another Board Chairperson stated that his Board had actively encouraged foster parents to adopt.

DYFS is reluctant to approach foster parents. We pursue the question of adoption with all foster parents.

All DYFS liaisons emphasized that it was inevitable that some children would remain in foster care, and several added that the advantages of adoption were exaggerated.

The mere fact of adoption is not that important. If a foster parent wants to keep a 12 year old kid who's been with them for five years, that's fine.

It's appropriate for those who have been in care a long time, before permanence planning was a big thing. If these kids have bonded with foster parents who don't want to adopt them, that's ok.

Nobody wants to admit that some adoptions disrupt. If you consider this, I think long term foster care is fine for older kids.

Most of the kids in this DO [District Office] are 15 and older, and two-thirds of these kids are from well off families who placed them with a relative or someone they know. It's unrealistic to think of anything but long term foster care for them.

The Board agrees with us that long term foster care is appropriate in cases where the parents are in and out of psychiatric hospitals and the children are bonded to them.

Summary

By and large, Board members agreed in principle about key issues involved in providing foster care services. All respondents to this study agreed that the most optimal plan for children is reunification with parents; all respondents also agreed that there would always be youngsters for whom long term foster care was the only viable option.

All DYFS liaisons and three quarters of the Board respondents felt that it was not necessary to match children and foster parents on religion. The remaining nine Board members, however, felt it was important to place children with foster parents of similar religious background.

Although all Board members stated that children belong with their parents whenever they can provide minimal standards of care, 13 DYFS liaisons criticized Board members for failing to recognize that parents with deviant life styles could change. In the experience of these liaisons, Board members were unduly harsh in recognizing the adequacy of parents who had sexually abused their children or who had been addicted. In addition, three liaisons had experienced situations where Board members objected to returning children to young, unmarried mothers whose only financial support was public assistance.

DYFS liaison's criticisms of Board members imposition of middle class values on parents illustrates how individual interpretations of a generally accepted principle can be radically different. These differences in assessing

parents' adequacy to resume care are illustrated in the following chapter which details cases where Boards and District Offices disagreed on discharge objectives for youngsters in care.

DYFS liaisons' criticisms of Board members' biases may also reflect their defense against Board's challenges to their manner of handling cases. All of the DYFS liaisons who criticized their Boards for imposing middle class biases on clients also emphasized that Boards had "unrealistic expectations" of what DYFS could do. As three District Office liaisons stated:

The Board doesn't understand "bureaucratic red tape." They don't realize agency priorities. Protective service cases take precedence over child placement review. Child placement review is not a priority. They don't understand that workers have no time for child placement review.

They treat every kid as if they were their own. We have to establish priorities and some kids can't get everything they need.

They think every kid is a priority. They don't understand that if we move one kid up [on the waiting list for special services] another kid loses out.

This tension between "idealism" and "realism" was probably inevitable, since Child Placement Review Boards assumed the role of advocates and conducted their work with minimal organizational constraints. In contrast, DYFS workers' functions were often circumscribed by law and agency regulations; and their ability to provide service was also undermined as funding for social services decreased.

CHAPTER IX
CASES WHICH ILLUSTRATE BOARDS'S DISAPPROVAL
OF DYFS CASE PLANS

Unless respondents volunteered the information, all were asked to describe specific cases where the Board disagreed with DYFS case plans. Board members were asked to describe at least one case where they took issue with the District Offices' long term goal of return to family, adoption, long term foster care, residential treatment and independent living. Similarly, DYFS District Office liaisons were asked to describe cases where they had difficulty justifying these types of long term goals.

This approach to eliciting comments about disagreements between the Child Placement Review Boards and DYFS had the advantage of focusing discussion on actual cases. Directing respondents to recall specific cases avoided the difficulty of obtaining comments which would be so vague that it would be impossible to identify differences between the Division's and the Boards' approach to case planning. Although this investigator realized that respondents might describe atypical cases, it was decided that the advantages of specificity outweighed the possible disadvantage that respondents would select unrepresentative cases to illustrate how the Board

had challenged the Division's long term goals for children in care.

One difficulty with this research strategy was that in several instances, Board members and their respective DYFS liaisons did not describe the same case. This inconsistency frequently occurred when one person had had longer tenure in his or her position than the other. Here again, however, the advantages of specificity were considered more important than the ability to make pair wise comparisons on general statements about the appropriateness of various long term planning goals.

At the outset of this discussion, it should be emphasized that formal disagreements about planning goals were relatively infrequent. According to DYFS, during the first three months after review was mandated, the Boards disagreed with planning goals in less than 5% of the cases they had reviewed¹; and this investigator's impression was that relatively few planning goals proposed by DYFS were overturned by Child Placement Review Boards.

As discussed earlier in Chapter II, some efforts to effect social change require that the change agents engage in confrontation. According to this view, combative tactics are necessary when it is not possible to have dialogue with the other party to resolve grievances.

¹ DYFS Internal Memorandum to high level official.
Trenton, New Jersey: December 1978.

With regards to Child Placement Review Boards and DYFS, there was solid agreement about the importance of permanence for children in care. The upper levels of DYFS were publicly committed to this philosophy and had invested considerable resources to train workers about how to make timely plans for youngsters. It was not surprising, therefore, that the proponents of child placement review did not have antagonistic relationships with DYFS. Rather, DYFS had collaborated with the proponents of review in developing the enabling legislation; and later, the Child Placement Review Board Advisory Council had sought participation from the Division to develop statewide reporting forms.

Given a general atmosphere of mutual good will, one would not expect that the Child Placement Review Boards would disapprove all or most DYFS plans of the 12,000 youngsters in placement. To do so would have created chaos, and the proponents of review were not interested in overturning New Jersey's child welfare system. Rather, their mission was to stimulate implementation of improvements within the system designed to achieve permanence for children.

The cases where the Boards took issue with DYFS are worth noting, however, because they signify that the Boards were taking their oversight function seriously. Even the occasional exercise of their power would indicate to DYFS that they were a group which could not be ignored. Clearly, if a local Board disagreed with even one case submitted by a

District Office, DYFS staff would be cognizant of this event; most probably workers would present subsequent cases in a way intended to avert Board disapproval. For example, workers might be more likely to provide more detailed information and/or to contact clients just prior to preparing a review form in order to provide up to date information. This chapter, therefore, describes several incidents where the Boards disapproved of DYFS plans; and in the following chapters, the effects these disagreements had on DYFS will be considered.

Boards' Disapproval of DYFS Plans for Return Home

The most frequent areas of disagreement between Child Placement Review Boards and DYFS involved cases where the Board was pressing for the adoption of children while DYFS District Offices felt that parents would be able to resume care. Seventeen of the 36 Board respondents and 17 of the 22 District Office liaisons recalled such cases.

According to two DYFS liaisons from non-urban counties, the Boards had taken issue with DYFS plans for return home when the mother had killed another child in her care.

We just had to explain to them [the Board] that the mother threw the baby out the window because she couldn't take her medication while she was pregnant. Once she would take her medication, she could take care of her child who was in care.

In the other case, the liaison explained

The Board didn't understand that it was her boyfriend who was the problem. Once he left, the mother could handle her other child.

Both liaisons expressed dismay that their Boards had challenged these plans for return home, and contended that these cases illustrated the Boards' inability to think that parents could change. Since the Board Chairpersons from these counties did not describe these cases, it was not possible to compare their rationale for recommending termination of parental rights.

Child Placement Review Boards in three urban counties had taken issue with DYFS plans for return to families where the father had sexually abused his teenage daughter. In one county, the Board Chairperson felt that the position was justified.

I think we were right to support the girl in this case, because she did not want to go home. She was afraid. I think sexual abuse is too serious to be changed in two or three months. DYFS is wrong to think that a little therapy can change a long ingrained pattern.

The District Office liaison for this county, on the other hand, cited a case of sexual abuse to illustrate the Board's anti-parent bias.

They just don't think people can change. Whenever they see abuse, especially sexual abuse, they go up the wall!

Another Board Chairperson from a depressed urban county also stated that their Board had frequently taken issue with plans for return home, because they felt that three months of therapy was insufficient to rehabilitate parents with a history of alcoholism, drug addition or abuse. He estimated that in 15 cases, his Board had obtained a court order to

insure that an abused child remained in placement. He noted:

There is nothing natural about a parent beating a child or tolerating sexual abuse... Interestingly, it's the kids who prefer the natural parents....I think it's the unknown factor. But if it's just one wrench, we prefer to terminate parental rights and have the child adopted. (Emphasis added)

The District Office liaison from this county was highly critical of her Boards.

Our Boards have become more adamant in making "crazy case work plans" because they want us to terminate parental rights for all parents where there's serious abuse or drugs immediately...When kids are in middle class foster homes, especially when they're in a good school system, and we want to return them to [name of city], the Boards want to have them stay in the foster home.

This liaison was also reluctant to terminate parental rights.

If your're dealing with alcoholism, it can go on forever. If a client needs an apartment, sometimes we can help; it could take only a couple of weeks. But if its an ongoing alcoholic problem or drug problem, I really can't put a time frame on it. There are times when kids have great attachment to their parents and you can't get them released for adoption. They don't want to be adopted. That's their mother and that's it. The Board argues best interests, which they interpret as adoption.

A third DYFS liaison from an urban county also reported that Boards had challenged their plans for return home when the parents had sexually abused their children.

They're very negative about sexual abuse. We have a hard time persuading them that return home is appropriate in these cases. They want the kids to be adopted.

One Board Chairperson from this county commented.

Most new Board members are shocked at the seriousness of cases. You think you've heard the worst and then you hear more. It's unbelievable what some of these parents are doing to their kids and we have new respect for foster parents. We take issue with frequent visiting when foster parents tell us it upset the kids.

Another Chairperson commented

You just can't believe the conditions some of these kids come from. The parents aren't ready to take them back. They need to stay with the foster parents.

Twelve other Child Placement Review Boards had taken issue with at least one DYFS plan for returning a child to his family. In these instances, it seems that children had been in care for several years and the Boards felt that it was in the child's best interests to be adopted, usually by the foster parents who had cared for him. DYFS, on the other hand, felt that the parents needed further opportunity to plan for their children. One DYFS liaison stated that young parents needed

...time to mature. Teenage parents need time to resume care. The kids are bonded to them and it's not fair to terminate parental rights. Let the mother finish school and grow up. Natural parents cannot live up exactly to time frames.

Another DYFS liaison observed that the Board frequently challenged plans for return home where children had entered care several years ago when the agency had been remiss in reaching out to parents. According to this District Office liaison

It's these cases where we have to swallow our pride and say we need to do more work.

The view that DYFS had been remiss in working with

parents was emphatically refuted by five Board respondents. One Chairperson decried the District Office's attitude towards initiating court action to terminate parental rights.

We just can't stand this trepidatious attitude about going to court [to terminate parental rights]. If you lose, you lose, but move!

Another Board Chairperson from the same county summarized her views as follows:

Maybe a conservative Board would feel that way [that parents had insufficient time plan] but we feel just the opposite. We feel that DYFS more than extends themselves to parents, particularly young unmarried mothers.

A third Board Chairperson from an urban county, who was an attorney, stated that his Board was "less impressed with the concept of parental rights" than the agency. His fellow Chairperson, who was also an attorney, explained his thinking:

Hardly anyone on our Board feels the end all and be all is to return to the natural parent. We go along with Freud and Solnit about the best interests of the child...We believe in contact and visiting, but in cases of abuse, especially alleged sexual abuse, or if a child is acting out after visits with the parents, we favor adoption. We're a conservative Board lest kids become ping pong balls. (Emphasis added)

Another Board Chairperson who was from a rural county and recognized a difference in perspective between the Child Placement Review Boards and DYFS

We find DYFS is in a difficult position because they are mandated to help the family and get them back together again. Our point of view is to consider the child only. We sometimes think that DYFS puts return home first, [on the first report to the Board]

even when they know it won't work. In some cases, we feel it [return home] is impossible, such as with drug abusers or incarcerated parents.

The District Office liaisons from the two counties whose Chairpersons are quoted directly above, acknowledged that the Boards had occasionally disagreed with plans for return home. Despite these challenges to workers' case plans, these liaisons did not feel that the Boards were unduly harsh on parents. One recalled a recent case to demonstrate her Boards' lack of middle class bias.

We just had a case where our plan was return after the mother got furniture. The Board agreed, and said "Who needs furniture? Get these kids home."

The other liaison felt that her Board was always willing to consider parents as a resource.

Oh no, our Board isn't into that middle class bit like in [name of another county]. They're always willing to give parents a shot.

In her view, which is quoted above, disagreements occurred when the agency had insufficient grounds for termination because past workers had been remiss in reaching out to parents.

It is worth noting that while almost all Boards had taken issue with DYFS plans for return to parents, two Board Chairpersons had tried to expedite return home. One Board Chairperson, who was a social worker for a parents' self help group, recalled a case.

By the time DYFS decides to return a child home, it's appropriate. We just had a case of a 28 year old mother, who had an apartment and family supports. It was a voluntary placement. She'd fulfilled her contract, and DYFS was questioning return because she

hadn't raised her older child. In this case, I was pushing for return home immediately.

In the other county, the Board respondent was highly critical of what she perceived as DYFS' punitive attitude towards parents.

Why we have workers who place kids because the home was "duty". In another case, they removed a child because the grandmother was too old. I went out to visit with the worker who was meeting her for the first time. Yes, she was in her 60's, but she could get around as well as I do.

She recalled two cases where they had challenged DYFS plans for continuation in care and adoption, because in the Boards' view, the parents were capable of resuming care.

The DYFS liaison for this county acknowledges that the Boards' had been critical of the District Office's handling of parents. She sought to refute the Board's allegation that they were judgmental to parents.

They think we hold kids in care. But that just isn't so. Why we have one of the lowest placement rates in the state. Why the Boards are judgmental. In one case, they asked a woman with four children under five, if she was looking for a job.

Boards' Disapproval of DYFS Plans for Adoption

Only three Board respondents recalled taking issue with District Office plans for adoption because they felt that the parents had had insufficient help from the agency to resume care of their children. One Board, which covered an urban county, had taken issue with three cases where the Board felt that the agency had ignored the child's father; and that it was necessary to extend services to the fathers

of these youngsters before considering adoption. According to this Board Chairperson, who was a social worker, the workers frequently demonstrated a sexist attitude towards fathers. She cited one case to support her opinion.

We had a case where the biofather was contributing to the board rate and all he could get was office visits. We told him to ask for weekend visits and we spoke to the DO [District Office Manager]. The father is now visiting regularly; and it looks like he'll get his kids back. We had another case where the father was in the Army and no one had told him where his kids were. And DYFS wanted adoption. It's unbelievable!

Another Board in the rural county where the Board had observed that workers were prejudiced towards parents had taken issue with a plan for adoption.

We just thought the parents hadn't been given a chance. The workers just wanted to move into adoption.

A third Child Placement Review Board had taken issue with a DYFS plan for the adoption of a sibling group, because the Board felt that it would be damaging to the children if all ties were severed with their mentally retarded parents. While this Board did not rule out adoption at a later time, they did feel that the children could benefit from additional visiting with their parents.

Our biggest problem is cases where the natural parents have some contact and the kids are in a middle class foster home. DYFS wants adoption, because kids have bonded with the foster parents. We had a case with a mentally retarded mother who loves her kids. She can't take care of them, but we feel sympathetic. At the end of the road, maybe we'll go for adoption, but we thought it would be precipitous now. For now, we see long term foster care.

In these three counties, the Board respondents had served since the inception of Child Placement Review, while all three DYFS liaisons were relatively new and none recalled any instance where the Board had taken issue with a plan of adoption.

In discussing adoption, two Board members and three DYFS District Office liaisons initiated discussion about their experiences with children whose adoptive parents had requested placement. One Board Chairperson, who had reviewed four abrogated adoptions in her nine months of service elaborated

Well I hope we're doing the right thing with adoption. I wish someone would do a study to see if it's the right thing. We've had four cases where the [adoptive] parents brought the kids back to the agency. It's a very bad situation...No they weren't handicapped. I guess the parents just didn't want them any more.

Similarly, the DYFS liaisons stated

I know this is not the point of your study, but I wish someone at Columbia would study failed adoptions. We've had three lately--all teenagers. The kids start sassin' their mothers--like all teenagers do--and the parents want out. I think part of it has to do with the fact that the parents are "agency savvy". They've been to us to adopt the kid and they think we'll take care of all their problems... Why in one case, the mother had a new den for herself [the child's former bedroom] within a week after she left. And the girl is still at our JINS¹ shelter.

We had two cases where adoptive parents brought the kids back...No they weren't handicapped. I don't know all the details.

¹ Juvenile in Need of Supervision, New Jersey's classification for status offenders.

About ten or fifteen years ago, a private adoption agency came down here and got lots of kids adopted. You know, a nice rural county--a good place for kids. Now a lot of them are at our door, because the parents don't want them...yes they were infants when they were adopted, and now they're teenagers. Nobody wants teenagers and these people think they can give them up.

Since the ARC liaisons were interviewed after the District Office liaisons, this investigator decided to ask them directly about their experience with abrogated adoptions. All four ARC liaisons stated that their office had had adopted children returned, and one liaison estimated that 10% of all their adoptions failed.

You have to understand that we place some very difficult youngsters. We have to live with some failures, I'm afraid.

One ARC had initiated post adoption services to help families in crisis when a few workers became interested in preventing breakup of adoptive families. This service cannot be offered statewide, however, because the Division has no funding for post adoptive services.

Boards' Disapproval of DYFS Plans for Long Term Foster Care

Boards from three counties had taken issue with DYFS plans for long term foster care. One Board in an urban county had taken issue with DYFS plans for five normal children under age five. This Board Chairperson, who was a social worker, was astonished that the District Office did not recommend adoption for children who were under five and healthy; and she was uncertain of the Division's rationale for recommending long term foster care.

We had a case where the agency was recommending long term foster care for two eighteen month old twins ... Yes they were healthy,... I don't know why they recommended that plan, but we disagreed. The youngsters were black, but certainly an adoptive home could have been found....In another case they [DYFS] wanted long term foster care for a five year old. I don't know why. It's incredible!

In one rural county, the Board respondent stated that they took issue with a plan for long term foster care for a seven year old.

We feel with the availability of subsidy, all younger children can be adopted. Long term foster care was not appropriate for this child.

In these two counties, the DYFS liaisons were relatively new, and they did not recall any instance where the Board had taken issue with District Office plans for long term foster care.

In another rural county, the Board had originally disapproved of the District Office's plan for long term foster care until they observed the attachment the three school aged youngsters had for their mentally ill mother. In this case, the Board subsequently concurred with the District Office's decision that it would be detrimental for the children to relinquish all ties with their mother.

In this county, the DYFS liaison was most resentful that so much time had been required to uphold the District Office's original plan.

I mean we all had to go to Court. So much time was wasted just to have them [Board] come around to our way of thinking.

Boards' Disapproval of DYFS Plans for Residential Care

Two Board Chairpersons from an urban county reported taking issue with plans for residential treatment, because in their view, in-home supports to parents would have been more appropriate. These Chairpersons were particularly concerned that the District Office frequently placed adolescents of young single mothers in residential placement rather than helping them manage their children.

We're very much concerned that the agency uses residential placement rather than help parents manage their children at home. This is particularly the case with young (around 35) single mothers with adolescent boys. What these mothers need is help raising their children. Residential placement is not the answer.

We always take issue with residential placements when the children are not in crisis,...but DYFS ignores us. We are very concerned, because we think that the agency uses residential too liberally.

In contrast, two other Chairpersons praised the District Office for residential planning.

Oh, we're delighted with residential. They are good schools...No, DYFS doesn't use it too liberally; the kids really need it.

Residential plans are very well thought out. We don't see workers using it too liberally.

This latter Board's support of DYFS residential plans was confirmed by the District Office liaison who exclaimed

Oh no, we never have a problem with residential. This Board is very "pro-residential."

Similar to this District Office liaison, four others remarked that their Boards looked favorably on residential placements.

They love that bit [residential placement].
Oh no, this Board is very pro-residential. Our
Board never gives us trouble on residential.
They're pro-residential.

----- Five Board respondents recalled taking issue with the -----
District Office's choice of residential setting. In one
county, these disagreements were resolved when the DYFS
liaison documented the number of agencies which had
rejected the youngster. As one Chairperson who had served
since the inception of review stated:

We'd very much like to see many youngsters go to
George Junior Republic, because the school offers
a lot of structure. But when you see that the
youngster has been rejected there, as well as
several other places, you have to live with what's
available.

Another Board Chairperson stated that he had raised
singular objections about one residential treatment center
to the Division Director who subsequently revoked the
facility's license.

Yes. We raised our concerns with [name of Division
Director]. She looked into it and the place closed.
We went and visited the place and were concerned
that the kids weren't getting any service. That's
another advantage of review: it keeps these private
outfits on their toes. Now they know someone else
will be checking on them.

Eight DYFS liaisons recalled that their Boards had
taken issue with their choice of residential setting. These
liaisons resented the Boards' challenging their plans. They
felt the Boards were "unrealistic" for failing to recognize
the limited resources available.

Sure we'd like to get all kids in Devereaux. But
not all our kids can get in.

They just don't understand that we have to take what's available.

Along with stating that they had never taken issue with a plan for residential treatment, two Board Chairpersons also mentioned that they felt unqualified to assess residential placement. They felt it was necessary to have additional training in the types of residential settings and the kinds of therapy offered.

We are not qualified to assess residential placement. I think it's a waste of time for us to review these cases.

I personally feel inexpert to challenge residential placements, because I'm not familiar with the schools. I'd like to visit them.

Boards' Disapproval of DYFS Plans for Independent Living

Five Board respondents recalled cases where they took issue with the District Office's plans for independent living, because in their judgment the youngsters were too immature. In their view a more appropriate plan was foster case which could provide supervision.

We just felt the youngster was too immature. She needed more structure.

That kid just couldn't survive on his own. He needed a foster home.

Since the DYFS liaisons from these counties did not recall instances where they had difficulty justifying plans for independent living, it was not possible to obtain a more complete perspective on these cases.

Several Board members criticized DYFS for failing to provide higher education or vocational training so that when

youngsters became 18, they could be self-supporting.

My biggest gripe is that these kids have nowhere to go after 18. Living on welfare is not good.

----- What happens to these kids when they're 18? -----
They're out of luck.

What these kids need is a half-way house when they're 18. They're still too young to be on their own.

The DYFS liaisons from these counties were highly critical of the Boards for their "unrealistic expectations" of what DYFS could provide to emancipated minors.

Counties with Little or No Disagreements

In one isolated rural county, both the Board Chairperson and DYFS District Office liaison concurred that the Board had never challenged a worker's plan. The Board Chairperson stated that she thought the District Office was doing an "above average" job and that they found no reason to challenge plans. Unlike her fellow Board respondents in the other 20 counties, this Chairperson was loath to terminate parental rights.

The last thing I'd want to do is to take someone's kid, because anybody can change and maybe the parent is trying to get himself together.

Her reluctance to terminate parental rights in order to free children for adoption, then, was probably an important factor influencing the unanimity between the Board and the DYFS District Office.

Another factor contributing to the lack of disagreement may have been the District Office Manager's efforts to work

closely with the Board. The District Office Manager, who also served as liaison, explained

When this thing [child placement review] began, we did things like we always do around here. We called everybody together, workers, supervisors, Board members and [name of Board coordinator] together and discussed it. That way, workers knew what the Board wanted...later when the state forms came out, we all got together again.

In one other county, the DYFS liaison recalled only one case where the Board took issue with their case plan. The Board Chairperson, however, explained the situation as follows

Always if a caseworker submits a plan with sufficient information I can't think of any time we have disagreed. When we feel that there is no support for a plan, we reject it and often it comes back with the information we need, and we agree with the goal.... We disagree with plans for return home when no conditions are set forth. We look for some plan that is realistic--that indicates that the parent is moving or is being given guidance to move.

Summary

This chapter described instances where Child Placement Review Boards took issue with DYFS case plans. Although Board disapproval was infrequent, the instances where Boards challenged DYFS are worth noting, because they indicate that the Board was functioning as an independent body. Moreover, even if one case were overturned by a Board, DYFS would be on notice that they had to take child placement review seriously, because the Boards were not a rubber stamp. Realizing this, DYFS workers probably would be inclined to present subsequent cases in such a way as to avert Board disapproval.

The most frequent area of disagreement involved cases where DYFS planned for reunification with parents while the Boards recommended termination of parental rights so that the children could be adopted. Boards' disapproval of DYFS plans for return home were usually resented by DYFS District Office liaisons who were highly critical of the Boards for imposing middle class values on clients. According to these liaisons, the Boards failed to recognize that parents could change and they felt it was wrong to write off parents who had had difficulty caring for their children. Many Board respondents, on the other hand, criticized DYFS for disregarding the children's best interest which would be met by having them adopted.

In two instances, DYFS liaisons were skeptical of contracting with parents to help them plan for their children. Their lack of goal orientation to working with parents was in direct conflict with the perspective of Child Placement Review Boards who insisted on timely planning for children. Quite understandably then, Boards in these two counties frequently took issue with DYFS plans for return home.

In some other counties, Board disagreements with DYFS plans for return home frequently reflected a philosophical difference, with Board members contending that parents who had killed or sexually abused a child could not resume care of their children in care. In contrast, DYFS argued that

parents had changed--either as a result of counseling or because their living situation had improved--and thus could resume care.

In the remaining counties, Board disagreements with DYFS plans for return home were probably an indication of "idealistic" and "realistic" perspectives, with the Board pressing for adoption because childrens ties with parents were negligible. DYFS, on the other hand, proposed return home, because there were insufficient legal grounds for termination of parental rights.

Disagreements about other long term plans were quite rare; and the Boards' taking issue with these plans did not appear to evoke such strong resentment on the part of DYFS.

CHAPTER X
RELATIONSHIPS BETWEEN LOCAL CHILD PLACEMENT REVIEW
BOARDS AND DYFS DISTRICT OFFICES

As discussed earlier in Chapter II, experience with independent review mechanisms in other health and welfare fields indicates that some degree of contention and even combativeness may exist between external review bodies and the organization under scrutiny. In view of this, it was of interest to explore how Child Placement Review Boards and DYFS related to each other at the local (county) level.

Originally, this researcher thought that the number of summary hearings would be an indication of the degree of opposition between the Child Placement Review Boards and the DYFS District Offices. As stated in the enabling legislation, whenever a parent, a child or DYFS disagrees with a Board recommendation, they may request a summary hearing before the judge who makes the final decision.¹

Study findings revealed, however, that the number of summary hearings was not a valid indication of conflict between the Boards and DYFS for several reasons. First, respondents from five counties recalled having no or very

¹ Laws of the State of New Jersey for the Second Annual Session, 1977, Chapter 427, 30:4C:6lh.

few (less than five in two and a half years) summary hearings, although their other comments suggested that relationships between DYFS and the Boards showed signs of strain. Second, in two other counties where many summary hearings had been held, virtually all had been requested by parents, while both the Board and DYFS had agreed about case planning. (According to the enabling legislation a parent may request a summary hearing if she or he disagrees with the Board recommendation.) Clearly, then, the number of summary hearings convened in these counties did not indicate Board-DYFS disagreement.

Unless study respondents volunteered the information, all were asked whether they had a positive or negative relationship with DYFS (or the local Child Placement Review Boards). Although virtually all respondents readily commented about their relationship, there appeared to be a "response set" operating, that is, both Board members and DYFS District Office liaisons were more likely to assess their relationship as positive even when their other comments indicated that some degree of contention existed.

As indicated in Table 10 below, only four of the 36 Board members and four of the 22 District Office liaisons stated that they had a negative relationship. At the same time, however, several other respondents described instances which revealed that Board-DYFS relationships had been strained. For example, a few Board members and DYFS liaisons described instances where they had disagreed about

what information should be shared with the Boards; and in other instances, the Boards' frequent challenging of DYFS case plans had become a source of irritation to DYFS.

In an effort to classify Board-DYFS relationships among New Jersey's 21 counties, this investigator considered several comments made by study respondents. First, respondents' answers to the direct question of how they perceived their relationship was considered. In the three instances where Board respondents evaded this question, the remarks of fellow Board members from the county were considered. In the two instances where liaisons evaded this question, there was sufficient basis for classifying their assessment of their relationship with the Board from their other comments. Along with considering their direct response to this question, this investigator took into account any description of instances which indicated that relationships were either strained or positive. As illustrated in Table 10, this investigator developed six categories to classify Board-DYFS relationships ranging from "combative" to "highly positive". The basis for this classification is further detailed below.

Table 10

CLASSIFICATION OF BOARD-DYFS RELATIONSHIPS

<u>Number of Counties</u>	<u>Description</u>	<u>Investigator's Classification</u>
2	Both Board and DYFS respondents concurred that they had a negative relationship. Board respondents were highly critical of DYFS performance and had raised their concerns to upper levels within District Offices. DYFS respondents were highly resentful that Boards imposed middle class values on clients.	Combative
4	Either Board or DYFS respondent felt they had a negative relationship. Evidence of some strain because Boards had insisted that parental rights be terminated on several cases where DYFS planned either return to parents or long term foster care.	Contentious
3	Both Board and DYFS respondents felt they had a positive relationship, although Board respondents described instances where DYFS had tried to undermine Board involvement in cases and/or DYFS indicated some strain persisted.	Occasionally Strained
2	Boards played a minimal role in overseeing DYFS cases and this arrangement was satisfactory to both parties.	Neutral
5	Evidence that Boards and DYFS had reconciled initial differences and both Board and DYFS respondents concurred that they had a positive relationship.	Cordial
5	Evidence that DYFS had made concerted efforts to use independent review to strengthen internal efforts to promote permanence. All Board respondents were pleased with the quality of information supplied by DYFS. In two counties, Boards had been influential in obtaining needed services for clients.	Highly Positive

Counties Where Board-DYFS Relationships Were Classified As
Combative

In two counties both the Board and DYFS respondents concurred that they had a negative relationship.

In one of these counties, the Board respondent criticized DYFS for being judgemental towards natural parents, because she had reviewed cases where children were placed because the home was "dirty." (See Chapter VIII) This was also the county where the Board had decided to exclude supervisors from review meetings, because they allegedly had an insidious influence on workers. (See Chapter VI)

In the other county, the philosophical differences between the Board and DYFS respondents was quite apparent. The liaison was extremely reluctant to set time frames with parents, many of whom she felt "needed time to mature" before they could plan for their youngsters. (Her views are quoted in Chapter VIII.) In contrast, the Board Chairperson was most interested in pressing DYFS to terminate parental rights when children had been in care for over a year and parents had failed to plan for them. She also felt that the District Office overused long term foster care rather than seek termination so that children could have permanent adoptive homes. Recently, this Board Chairperson had prevailed on the District Office supervisors to meet with the Board to discuss their rationale for preferring long term foster care for many youngsters.

I recognize that long term foster care is necessary for some children, but it's very hard for us to grasp what the long term foster care agreement means. I know it doesn't have the force of law. We see a lot more of that [long term foster care agreements]. Although we never see copies...It's not good for this ten year old who has no ties to his parents. He should be adopted. We're having a meeting soon with DYFS to discuss the whole thing... We have a lousy relationship with DYFS. But I do try to praise workers when we think they've done a good job.

The liaison from this county recognized the Board's leaning towards adoption, and explained that these disagreements on case planning posed no problem for the District Office.

When they recommend adoption, we send it to ARC [Adoption Resource Center]. If they send it back, we've done our part...yes that happens quite often... I couldn't estimate a percentage.

While the Board respondents from these counties were critical of the District Office's performance, both DYFS liaisons were highly resentful that most Board members imposed middle class values on clients. In one county, the liaison recalled a case to illustrate this.

Why we had a case where they asked a mother with four children under five if she was looking for a job! They thought she should be working rather than be on welfare. I mean really, how could she go to work?

In the other county, the liaison criticized the Board for imposing middle class values, not on natural parents, but on foster parents. In the view of this liaison, who had served since the inception of Child Placement Review, the Board had unrealistic expectations about foster parents' lifestyles.

Counties Where Board-DYFS Relationships Were Classified As
Contentious

In four other counties, either the DYFS liaison or Board respondent felt they had a negative relationship. Both DYFS liaisons recalled long-standing controversies between their District Office and the Boards; while at least one Board member from the other two counties acknowledged that they had been in opposition with DYFS.

In one county, the liaison mentioned that they had recently complied with the Board's request to read third party reports.

We were concerned about confidentiality but it [disagreement about sharing third party reports] got to be too much of a hassle, so we gave in.

This liaison went on to criticize the Board for their naivete in thinking that DYFS workers could force clients to seek employment or job training. She also criticized the Board for considering irrelevant issues.

After the review hearing the Board lists their questions. Some of them are interesting but irrelevant. Like we had a child whose parent was dead. The Board asked if the worker had helped him with that and whether the kid was entitled to Social Security. It doesn't really matter to the children. I don't know why the Board asked. They get into a lot of social work planning issues.

In contrast to this liaison, the Board Chairperson felt they had a positive relationship with the DYFS District Office.

Oh I have a good relationship with [name of District Office manager]. I can talk with him whenever I want to... I never feel uncomfortable disagreeing

with DYFS. We're merely focused on the child. Sometimes I'll write 'good' on the report when I think a worker has done a good job. I don't know what good it does, but I feel DYFS has improved. I think the caliber of the work has improved.

In the second county where only the liaison felt that the District Office had a negative relationship with the Board, there were deep philosophical differences between the liaison and the Boards. The liaison, who was quoted extensively in Chapter VIII, was most reluctant to impose time frames during which parents should make a plan for their child's return home. The Board respondents, who are also quoted extensively in Chapter VIII, were constantly pressing the District Office to terminate parental rights. Here again, however, these disagreements posed no problem for this District Office liaison.

We refer those cases to our adoption office. They usually send them back, because they're inappropriate referrals. But that doesn't matter, we've fulfilled our obligations. (Emphasis added.)

Both Board Chairpersons from this county rated the office's overall performance as fair, and both felt that their relationship with DYFS had improved. One Board Chairperson felt that other factors had affected their relationship with DYFS.

The Board came into a long history between DYFS and the Court. The former DO [District Office] manager was held in contempt because she did not find a home for a kid who'd been in the shelter for several months. From then on, we were in the middle. We're getting better information.

Similarly, the other Chairperson from this county felt their relationship had improved.

We have a new District Office manager named ... He's great. Oh, we got rid of [former liaison]. Generally the upper levels [of DYFS] were sympathetic. I think we were going the same way as [name of director] was. She inherited a very, very difficult situation. She was always considerate and supportive. Our complaint was with the locals. Her complaint was that each DO [District Office] was a regnum in its own area.

Both of these Board Chairpersons regretted that most foster parents had not attended review meetings and both attributed their absence to DYFS active discouragement of child placement review.

Why I had a woman call me up at 11:00 pm to ask me if they [DYFS] could take away her kid if she came to a review.

Moreover, one Chairperson stated that during the first year DYFS caseworkers had refused to attend review meetings.

I realize they'd have to get comp time, but I don't think they should refuse when we ask them.

Effective July 1, 1981, the Division of Youth and Family Services stated in its manual that workers must attend review meetings when so requested.¹ This policy, however, had not been developed at the time when workers had refused Board requests to present testimony.

In two counties where only the Chairpersons felt their relationship with DYFS was strained, their Boards had frequently taken issue with DYFS goals. In one county, the Board had brought to the supervisor's attention their

¹ Department of Human Services. Division of Youth and Family Services. Field Operations Manual II Casework Policy and Procedures, Volume D. Foster Care Services Section. Child Placement Review Section (24, p. 18)

observations of sexist social work practice, because workers appeared to be ignoring fathers as resources for children in care. This Board had also challenged the District Office for planning long term foster care for several healthy pre-school children (see Chapter IX).

In the other county where only one Board Chairperson felt they had a negative relationship with DYFS, the Chairperson reported that they frequently took issue with DYFS about plans for return home, because they thought more children should be adopted. (See Chapter IX.) Although relatively few--only 15%--of their cases were scheduled for re-review, the Chairperson stated that DYFS resented their taking issue with DYFS case plans.

Well, we're always seen as the trouble makers... because we're always questioning the agency and asking for more information. I guess you'd say we're the 'militants'.

It may be worth noting that this was the Board which was terminated in May 1981 by the judge, ostensibly because the county could no longer afford to pay overtime pay to security personnel to work one evening a week during this Board's review meeting. (See Chapter V.)

Counties Where Board-DYFS Relationships Were Classified As Occasionally Strained

In three counties, respondents recalled that initially relationships between the Board and DYFS had been strained; although all respondents felt that their current relationship was positive. At the same time, however, it appeared

that DYFS still had a residue of bad feeling toward external review, so this researcher felt it was inappropriate to classify these Board-DYFS relationships as positive.

In one of these counties, two of the Boards re-reviewed virtually all cases to verify that DYFS followed through on obtaining school and medical reports, referrals to the ARC and work with parents. The liaison for this District Office was highly resentful of this practice, for she felt the Boards had usurped the role of DYFS supervisors. While she herself had frequent contact with the Boards, and had invited them to the District Office's open house, it appeared that relationships were strained.

I feel child placement review has tried to become the supervisor of the case instead of the reviewer... They are constantly giving us suggestions and then they review every three months, even every month... Oh they'll suggest getting a school report or follow up with special art classes if a kid is talented, or to get a psychiatric assessment if a child has a psychotic break. Not that it is all that unreasonable, but they've become the supervisors...While they mean well, they want to become the supervisors, and they've gone too far as reviewers....Oh I'd say our relationship--it's improving. It's positive.

An incident described by a Board Chairperson also suggested opposition between the Boards and the District Office.

We had recommended counseling for one child and wanted the judge to order it. Before calling a summary, the judge asked us to discuss the case with the District Office. At the meeting, the supervisor said that the workers' ten minute car ride to bring a child to a bus so she could go see her mother was professional counseling! We called a summary just before the Court hearing--in the court room, the supervisor said they'd begun

counseling. I really resented that three Board members and the foster mother had wasted a day in Court.

In the second county, the District Office liaison explained.

We get along. We disagree in some areas, but we work things out, largely because of the Board coordinator. She's a good mediator and very tactful.

At the same time, she criticized the personality of the Board Chairperson and emphasized the disadvantages of external review. In this county then, it seemed that there was a residue of bad feeling on the part of DYFS.

In the third county where relationships had been strained, the District Office liaison had had personality conflicts with the Board Coordinator who had asked her to withdraw from attending review meetings. The liaison also resented that she had requested a summary hearing where the judge had concurred with the District Office. (See Chapter VI.)

This District Office liaison described workers' reactions to child placement review as follows:

The caseworkers see it as totally needless, time consuming, aggravating and one more thing to do. We had, for example, at the beginning one worker who spent more than 40 hours in one week on review, either writing reports or clarifying questions. Their [workers'] whole thought was the Board is sitting there and we have to justify our plans to them... It takes time away from their job.

Here again, then, workers' resentment of outside review suggested that relationships between the Child Placement Review Boards and DYFS were strained.

Counties Where Board-DYFS Relationships Were Classified
As Neutral

As described in Chapters V and VI, Child Placement Review Boards in two counties played a very minimal role in overseeing DYFS cases. In one county, all reviews were "paper reviews," because the Board did not encourage the attendance of parents, foster children and foster parents; and they were satisfied with the written material supplied by DYFS. In the other county, the Boards were not informed of how the judge disposed of their recommendations, so they had no basis for challenging DYFS on case plans by scheduling re-reviews. In these two counties, then, it seemed that the relationship between the Boards and DYFS was superficial, since the Boards had minimal involvement with DYFS cases. Thus, while all respondents from these counties expressed satisfaction with their relationship, this investigator thought it appropriate to place these counties in a separate category, because neither the Boards nor DYFS had made any effort to promote open communication and cooperation.

Counties Where Board-DYFS Relationships Were Classified As
Cordial

In five counties, Child Placement Review Boards and the District Offices not only stated that they had a positive relationship, but they also provided descriptions of how they had reconciled initial differences. As Board respondents explained

Always if a caseworker submits a plan with sufficient information, I can't think of any time we have disagreed. When we feel that there is no support for a plan, we reject it and often it comes back with the information we need and we agree with the goal.

At the beginning there was some animosity, but no longer. Once we told the workers that we're not like a Board of Education because we can't hire or fire, that the law restricts us to recommendations only, things got better. Our yearly meetings with the District Office Manager have helped a lot... Our concerns now are not on the local level but on the policy level. Like why DYFS has to wait until a retired worker's sick time is used up before they can replace her.

We are very clear on our role... We are there to help them [workers]. We are all working for the same thing... If they're going to Court, the caseworker will refer to the Board recommendation for counseling and for contracting with the natural parents.

We work very well together. There aren't many kids in placement. We work well with DYFS. When a treatment plan isn't made, the worker and Board talk it out.

Well since we just started up [after a year break] it's hard to say. Workers come to reviews, and we get the information we need.

In these five counties, the District Office liaisons were minimally involved in child placement review, and they did not elaborate about their relationships with their Board(s). (See Chapter VI about role of liaisons.) At the same time, however, they did not make any negative comments about the review process, and none of the Board respondents had observed any efforts to undermine their role.

Counties Where Boards-DYFS Relationships Were Classified As Highly Positive

In five counties, the DYFS liaison and some Board

respondents elaborated about how they had developed a strong working relationship. For example, all five DYFS liaisons described instances where they had used the Child Placement Review Boards to press for permanence for youngsters in care.

In these five counties, a DYFS representative was present at all review meetings in order to provide sufficient information to the Boards. In four counties workers routinely presented testimony, while in one urban county, the District Office liaison attended all review meetings.

In one rural county, the District Office liaison was most gratified that the Board had used their personal influence to obtain housing for a parent and her child in care. As recalled by the Chairperson

Well you know in a small town, it's nothing to pick up the phone and call so and so to get what you want. So I called up someone I knew at the Housing Authority and the mother got to the top of the waiting list [for subsidized housing].

Both respondents from this rural county also recalled another instance to demonstrate their good working relationship.

They wrote to Trenton [Central Office] when we asked them to, because we didn't have any heat.

Oh, we wrote to Trenton because they really couldn't work under those conditions.

In another rural county, the Board Chairperson explained.

Usually the caseworker is delighted to have re-review because it gets things moving. We're a support mechanism to show the parents that they're important.

... We don't fight DYFS and they don't fight us.
We try very hard to stay on good terms.

Similarly, the liaison from this District Office
acknowledged

Workers love it when the Board says go for
termination. That really helps when they go to
Court.

Although this liaison felt that a few Board members imposed
middle class biases on clients, he was not overly concerned
about these differences in perspective between the Boards
and DYFS.

In the beginning the Board told one woman to
get a tubal ligation. That sent the worker
up the wall!
We just tell them [workers] 'If you think the
Board is too middle classy, tell them--in a
polite way.'
It [review] is supposed to be open communication,
and that means no comments should be censored.

In the three remaining counties, the District Office's
liaisons described how they had used child placement review
to stimulate improvements in service delivery. For example,
one liaison attended review meetings to assess the need for
further staff training, while the other two referred to out-
side review to emphasize to parents the importance of timely
planning for youngsters in care. (Their experiences are
described in detail in Chapter VI.)

Four of these Board Chairpersons elaborated on their
roles.

Well we make a lot of 'editorial comments' on our
recommendations...thinks like contracting with
parents and setting time frames. The supervisor
[liaison] says it's very helpful and she takes
this up with the workers.

We have a good relationship. It's not a love-hate relationship. At the beginning we were all anti-DYFS because of the horror stories we'd heard. As we learned about the kind of work they do and the budget restraints, I respect what they are trying to do. I certainly wouldn't want their job. If they do a good job, we tell them. We have no reluctance to tell them when they do a good job when they do. And we try to let the DO manager know about it, just so he knows we cut it both ways.

The District Office Manager uses review as a check on workers. We worked this out at the beginning. She wants our feedback about workers.

Review helps DYFS move a little faster in terms of contracts [with parents].

In these five counties, then, the District Offices made additional efforts to demonstrate to Child Placement Review Boards that they shared their commitment to permanence planning. In the judgment of this investigator, it appeared that supervisors in these offices were motivated to undertake these additional efforts not only to maintain amicable relationships with the Boards but because they were firmly committed to permanence and they chose to utilize child placement review to effect necessary internal changes so that children would be more likely to return home or be adopted.

Their approach to child placement contrasted sharply with that of some of their colleagues who sought to appease their Boards without addressing practice issues affecting permanence planning. Still other District Offices actively sought to undermine child placement review by withholding information and/or by continuously ignoring Board recommendations.

As discussed earlier in Chapter III, Warren's¹ paradigm for analyzing community-agency relationships has some similarities with this investigator's characterization of the relationships between Child Placement Review Boards and DYFS District Offices. The five counties where DYFS supervisory staff actively used the law to encourage permanence planning can be viewed as "campaign"; the five counties where relationships were classified as cordial but where casework practice seemed unaffected by external review can be classified as "collaborative"; and the six District Offices classified as either combative or contentious can be viewed as "contest". The two counties where the Boards were minimally involved with review could perhaps be classified as "collaborative"; on the other hand, it may not be appropriate to place them in any of the three categories developed by Warren. Finally, the three counties where relationships were occasionally strained share some similarity with Warren's "contest" category; but they probably more closely approximate his "collaborative" category, since the District Offices supervisors were not publicly taking issue with the Boards about their disagreements. Rather they seemed reconciled to the fact that despite their Reservations about external review, it was something they had to live with.

¹ Roland Warren, op cit.

Factors Associated with Respondents' Assessment of Board-DYFS Relationships

Unless Board members volunteered the information, they were asked "Overall, would you rate your District Office's performance as excellent, adequate, fair or poor." As indicated in Table 11 below, there was a relationship between Board members assessment of their relationship with their District Office and their rating of its performance. All four Board respondents who felt their relationship with DYFS was poor rated their District Office's performance as fair or poor, while 23 of the 29 respondents who felt they had a positive relationship with DYFS rated their District Office's overall performance as excellent or adequate.

Table 11

COMPARISON OF BOARD RESPONDENTS' ASSESSMENT OF THEIR DISTRICT OFFICE'S OVERALL PERFORMANCE AND THEIR ASSESSMENT OF THEIR RELATIONSHIP WITH DYFS^a

		Assessment of DYFS			
		Excellent	Adequate	Fair	Poor
Assessment of Relationship with DYFS	Positive	11	12	6	0
	Negative	0	0	2	2

^a Three respondents' remarks were uncodable.

Similarly, DYFS District Office liaisons assessment of the relationship with the Boards was related to their observation of Board members' tendency to impose middle class values on clients. As indicated in Table 12 below, all four

liaisons who felt they had a negative relationship with the Boards stated that at least some Board members imposed middle class values on clients. On the other hand, of the 16 District Office liaisons who felt they had a positive relationship with DYFS, ten stated that no Board members imposed middle class values on clients. As indicated in Table 12 below, all four liaisons who felt they had a negative relationship with the Boards stated that at least some Board members imposed middle class values on clients. On the other hand, of the 16 District Office liaisons who felt they had a positive relationship with DYFS, ten stated that no Board members imposed middle class values on clients.

Table 12

COMPARISON OF DYFS DISTRICT OFFICE LIAISONS' ASSESSEMENT
OF THEIR RELATIONSHIP WITH THE BOARD AND THEIR
OBSERVATION OF BOARD IMPOSING MIDDLE CLASS VALUES ON CLIENTS

		Assessment of Relationship With Board ^a	
		Positive	Negative
Boards' Imposition of Middle Class Values	All Board Members	1	2
	Some Board Members	5	2
	No Board Members	<u>10</u> 16	<u>0</u> 4

^aTwo respondents' remarks were uncodable.

Originally, this investigator thought that the frequency of re-review would be associated with liaisons' assessment of their relationship with the Boards, but liaisons from counties where re-review was frequent (defined as 33% or more) were as likely to feel they had a positive

relationship with the Boards as liaisons from counties where re-review was less frequent.

Board-DYFS relationships were significantly related to the degree to which Boards asserted an activist role in monitoring cases. As described in Chapter V, activist Boards were those which frequently questioned information contained in workers' reports to the Board; they also monitored many cases more often than once a year as required by law. In contrast, non-activist Boards were less likely to question DYFS reports and they were also reluctant to give frequent scrutiny to cases.

As illustrated in Table 13 below, counties with activist Boards were more likely to be classified as having strained Board-DYFS relationships; while counties with non-activist Boards were more likely to be classified as having positive Board-DYFS relationships.

TABLE 13

COMPARISON OF BOARD-DYFS RELATIONSHIPS WITH
ACTIVISM OF BOARDS

	Mean Activist Score
Strained Relationships ^a	26.07 ^c
Positive Relationships ^b	24.47

^a Includes 18 Boards from counties classified as having combative, contentious or occasionally strained relationships.

^b Includes 19 Boards from counties classified as having neutral, cordial or highly positive relationships.

^c $t = 7.78$ 34df $p < .01$

Summary

An analysis of study respondents' comments about relationships between local Child Placement Review Boards and DYFS indicated that in six counties, relationships were strained; in five other counties, relationships were cordial and in another five counties, relationships with highly positive. In two other counties, the Boards were so minimally involved with child placement review that it seemed irrelevant to attempt to characterize the relationship between the Boards and DYFS.

Examples of contention in the nine counties where relationships between the Boards and DYFS were strained included worker's refusal to attend review meetings, the District Office's reluctance to share third party reports, and/or giving lip service to implementing Board recommendations with which DYFS disagreed. In all of these counties, at least one Board had challenged DYFS about case planning and in eight counties, the Boards had brought their concerns to upper echelon staff either in the District Office or the Central Office.

In the ten counties where relationships between all of the Boards and the District Offices were cordial, five counties were of special interest, because DYFS supervisors were actively aligned with the Board in pressing for permanence planning. In two of three counties, DYFS readily considered suggestions offered by the Board to expedite permanence planning; and in the remaining three counties, the

supervisory staff welcomed feedback from the Board about difficult cases.

There was a relationship between Board respondents' assessment of their relationship with DYFS and their assessment of their District Offices' overall performance. Board respondents who felt they had a positive relationship with DYFS were more likely to rate their District Office as excellent or adequate rather than fair or poor.

Similarly, there was a relationship between DYFS District Office liaisons' assessment of their relationship with DYFS and their observation of Board members, tendency to impose middle class values on clients. Liaisons who rated their relationship with the Boards as positive were less likely to state that Board members imposed middle class values on clients.

CHAPTER XI

IMPACT OF CHILD PLACEMENT REVIEW

Ascertaining the effectiveness of external review in stimulating permanence for children in foster care is, of course, the central issue in any study of independent foster care case review systems. Ideally, an evaluation of external review would be determined after conducting a controlled study in which cases were randomly assigned to either be reviewed by Child Placement Review Boards or not to be so scrutinized by an outside body. Then, the outcomes of cases subject to external review (that is, the experimental cases) would be compared with the outcomes of cases not subject to external review (that is, the control group). If more of the experimental cases had permanent plans than the control cases, one could conclude that external review stimulated permanence planning.

With regard to New Jersey's system for child placement review, the ability to conduct a controlled study was precluded because the enabling legislation mandated that all foster care placements supervised and paid for by DYFS be reviewed within a year. Consequently, it was not possible to subject only some foster care cases to external review in

order to determine how these cases fared in comparison to cases not subject to external review.

In this study, the impact of New Jersey's system for independent review of foster care cases was examined by considering Board members' and DYFS liaisons' assessments of the advantages and disadvantages of child placement review. In addition, study respondents were asked to describe a case where they thought that review had a positive effect on a child's foster care status.

It should be noted that there was no way of determining the representativeness of these cases among all those subject to review. Nevertheless, asking respondents to describe one case did enable this researcher to consider whether respondents felt that child placement review was beneficial for certain kinds of cases.

Admittedly, this approach to assessing the impact of external review is soft in nature and hardly comes under the category of rigorous evaluation described above. Nevertheless, this qualitative approach will have to suffice, since conventional evaluation designs relying on experimental and control groups was precluded by state law.

Respondents' Assessments of The Advantages of Child Placement Review

All 36 Board respondents and 22 of the 26 DYFS liaisons (that is the 22 District office liaisons and the four from the Adoption Resource Centers ARC's) felt that there were

some advantages to having DYFS foster care cases reviewed by Child Placement Review Boards. Of the remaining four DYFS liaisons, two felt that the Board's imposition of middle class values impeded timely return of children to their families; one felt that their acrimonious relationship with the Board negated any possible advantages to review; and the fourth liaison was generally opposed to foster care review conducted by lay people.

Board Members' Assessment of Child Placement Review.

Of the 36 Board members who felt that external review stimulated permanence planning, 30 stated that the primary advantage was that workers gave more careful attention to cases, since they knew that would have to justify case plans to an outside body.

I think we have created a climate where they [DYFS] have more hands-on involvement in cases, simply because they know they will be called upon if they don't. First of all, they have to prepare the form, so they have to be informed of cases We are getting more contracts. We won't accept "This mother is incompetent." We tell them "get contracts and facts and we'll back you up in court" [at termination proceedings].

I think that by having DYFS workers fill out the forms, they have to make a plan.

Well now DYFS knows they're accountable for making a treatment plan. I think that's very important from a social work point of view.

We keep DYFS on their toes. I'd like to see Child Placement Review Boards go out of business, because DYFS is doing everything perfectly. But I don't think that's likely to happen.

I think we've helped DYFS to move a little faster in terms of contracts. Initially, we saw no evidence that cases were moving. I've seen real progress towards

contracting with the new cases; and I realize there's not much the agency can do with the old cases.

I see the Board as essential. It's the only window on this agency. It's a vital necessity. Poor performance has nothing to do with high caseloads, and everything to do with proper training, education and caring . . . We try to get them to be more caring and attend to cases.

The Boards are able to push for good planning. We find out a lot more than even the supervisors, maybe because we have more time I think we make a dent into how kids are treated We had a case where it was obvious that the caseworker never saw the child, because the grandmother was black and the child was white. Although the plan was appropriate [to have a child remain with the grandmother] we were careful to note that the caseworker was not familiar with the case.

Four other Board members felt that the primary advantage of child placement review was that another perspective was brought to bear on the critical decisions of case planning for foster children. In addition, these respondents stated that review was beneficial to foster children, because they were primarily interested in them.

I think it's good to have another point of view. In any profession, you see things one way. That's your job. I don't think it can be harmful to have other input into things that might be harmful or help the life of a child.

Review lets older children know that someone is interested in them. That way children don't get lost in the shuffle.

Review gives the child another voice. His case is heard by caring, fair minded individuals. Not once when I left a hearing did I not feel that we were positively affecting a child's life. The only question was if the judge agreed and if the order was carried out.

Review means that cases are seen from another perspective, not necessarily the professional perspective. The social workers see everything from a legal and

social service point of view. We take a wider perspective and consider how the child feels.

The remaining two Board members cited other advantages of child placement review.

Review can educate the citizens about child welfare. It's very good to have citizens involved, to know what's going on with our tax dollars. Citizens can help, but they can't replace professionals. Citizens don't make the final decisions. The pros make the final decision.

The biggest advantage of review is "teamwork." Often the Board can be an advocate. Often the worker needs to be caring and loving with the client and the disciplinarian. In some cases, the workers have told us that they make the Board the disciplinarian. They'll say that the Board has rejected the plan we worked on. That's fine with me . . . It makes the one who has face to face contact less of a heavy. That's important in order to maintain a relationship. And it doesn't matter if the parents aren't in love with the Board.

DYFS Liaison' Assessment of The Advantages of Child Placement Review. Of the 22 DYFS liaisons who felt that there were some advantages of review, 20 felt that the primary advantage for outside review was that it provided an additional incentive for workers to give more careful attention to making timely plans for children in care.

Review had helped workers focus on permanence goals, especially work with parents. I think there is real value in putting case goals in writing because workers have to provide documentation for these goals. Also, now that re-reviews are coming up, we have an opportunity to reassess the case which is very helpful.

Review forces workers and supervisors to think in terms of time frames. That's a good thing.

Review keeps the agency on it's toes. It forces workers to think about the reasons for placement. . . It forces them to get all the facts to justify the placement and this helps to make a plan.

While the advantages don't outweigh the disadvantages, the advantage is that workers have to review their

cases more thoroughly and more often. They have to follow time frames for dictating. Cases had been handled as to which one was more active at a particular time. If a case was quiet, it got less attention. Review has made us much more aware of what's going on with the entire caseload. (Emphasis added)

I think the Board agrees with most recommendations. I think the review process requires that workers provide some more justification than normal which is good. I don't think that the Board is a rubber stamp, although in almost all instances, the child is in the only alternative possible.

The remaining two liaisons cited other primary advantages of review. One liaison had stated that review stimulated parents to plan for their youngsters and the other felt review helped workers clarify their role with clients.

Child placement review has been a help to us. Clients think the Boards has more power than they do. You can tell a parent over and over again that you will terminate their parental rights, and they don't believe you. The Board recommendation comes abruptly and it's pushed some natural parents into action.

Child placement review is helpful to caseworkers who see themselves solely as helpers rather than as representatives of a state agency. They're not just supposed to help people. They also have to enforce state rules and regulations. We try to use review positively with paras [foster parents who had cared for child prior to receiving DYFS board rate]. They're intimidated because the cases are reviewed. In one case the Board wanted to terminate parental rights and the father took the kids back.

Respondents' Descriptions of Cases Where Child Placement Review Had A Positive Effect

Of the 36 Board respondents, 31 described a specific case where they thought review had positively affect a child and 12 of the 26 DYFS liaisons also described such a case. Nine Board respondents and three DYFS liaisons felt that review was generally beneficial to children but could not

recall a specific case; and 11 DYFS liaisons stated that they could not recall any case where review had a positive effect.

Board Members' Descriptions of Cases Illustrating The Positive Effects of Child Placement Review. Of the 27 Board respondents who recalled a specific case where they felt that review had a positive effect, 19 cited a case where they pressed DYFS to make a plan of adoption; six mentioned cases where they had recommended that children receive additional services while in care; and the remaining two stated that review had expedited a child's return home.

Some of the Board respondents who felt review had benefited children by pushing DYFS to consider adoption are detailed below.

We had a case where there were two children age one and three and the parents were highly dysfunctional. The mother was an alcoholic and the father had a criminal record. It was a neglect case referred by a third party. The Board pushed for six months for the case-worker to develop a contract. At six months, there was some progress, so we re-reviewed three months later. At nine months, the mother went back to her old ways. After the Board confronted the mother, she and the husband signed a surrender and the children are now adopted. Getting a surrender was a struggle. This case would have well become one of those situations where DYFS sat around for 15 years waiting for the parents to get their act together.

We had a case where DYFS was recommending long term foster care for 18 month old twins. There was a long history of the biofamily's involvement with DYFS. Here these kids were adopted by their foster parents.

We had an eight year old boy whose mother was in Australia. We really kicked up a fuss to get action, that DYFS pursue termination of parental rights. In that case, I think we made a difference.

In one case, we uncovered a case of fraud between the natural parent and the foster parent. DYFS had in the record that the mother was in Boston, but it said on the form that her whereabouts were unknown. Our investigator found that she was on a four year scholarship and living with her father. The Board directed the mother to either make a plan or surrender the child. DYFS was recommending long term foster care.

Some of the cases described by the six Board respondents who felt they had been helpful in obtaining appropriate services for youngsters in care are detailed below.

We had one case where a nine year old girl was acting out in the foster home. We got DYFS to put her in therapy.

We had a case where a middle aged male worker was not appropriate for a young black girl. DYFS agreed to change workers.

We had a case where a sixteen year old could use vocational training. We got DYFS to look into this.

The two Board respondents who recalled cases where they felt review expedited a child's return home are quoted below.

We had a case where DYFS took kids away from their grandmother because she was too old. I went out and met the woman. She was in her 60's but she got around as well as I did, so we recommended return to the grandmother.

We had a case where a 28 year old mother had fulfilled her contract and had family supports. DYFS still had doubts because she hadn't raised her other children. I pushed them to get the child home.

DYFS Liaisons' Descriptions of Cases Illustrating The Positive Effects of Review. Of the 12 liaisons who described a case where they felt that review had a positive effect, five cited situations where adoption was expedited,

four mentioned cases where children were returned home and the remaining three recalled cases where workers used review to help "para" foster parents (foster parents who had cared for the child prior to receiving financial support) clarify their interest in planning for the child. Some of their responses are quoted below.

We had a nine year old who'd been in care for two years. The mother had sporadic involvement between hospitalizations. She came to a Board review and said she wanted her child. The Board recommended weekend visits where she picked up the child at school on Friday afternoon and returned him there Monday morning. On some visits, the mother took him to a motel in Atlantic City because she had no home and she took the kid to pool halls and bars. We probably would have started weekly visits, but the Board pushed us in that direction. Now we have grounds for a termination, because the worker can document that the mother can't care for him. I think review did a lot of good in this case, because the Board brought the case to a head, and now we have grounds for termination.

The Board used their influence to get one mother housing, so we were able to send him home. They were really helpful in this case.

We try to use review positively with para foster parents who are afraid of review, because the Board will want to terminate parental rights and have the kids adopted. We had one case where the Board brought in the natural father and the paras, and the father took the kids back.

Respondents' Assessments of The Disadvantages of Child

Placement Review

Of the 36 Board respondents, 22 felt there were no disadvantages to child placement review, while 24 of the 26 DYFS liaisons identified at least one disadvantage. Their assessments of the disadvantages of child placement review are detailed below.

Board Members' Assessment of The Disadvantages of Child Placement Review. Of the 14 Board respondents who identified a disadvantage, six thought that may have been overly burdened by the requirements imposed by outside review; four cited a lack of judicial support; three felt that the Boards' authority was too limited and one felt review was upsetting to parents. Some of their responses are quoted below.

Well I can't think of any disadvantages on our part. But I suppose DYFS would see some disadvantages, because now they've got someone checking on them.

The only thing that could be a disadvantage is if the Board and DYFS got into a power struggle. The Review Board is only as strong as the judge; and our judge isn't too supportive. That's our biggest problem.

If the parents move to another county, the Board loses jurisdiction. For example, in one case where we recommended adoption because the kids have been in and out of care, the mother took the daughter and the father took the son. Now the boy is back in care because he was abused, but he's living in another county. The other Board does not have all the previous information. There's a lack of balance in the information. DYFS feels they can be selective in presenting information, so they can make a case for their plan. It's like how an Executive Director can run a Board of Directors. We need to have information from other sources.

We need subpoena power so we can get parents to come in.

DYFS Liaisons' Assessments of The Disadvantages of Child Placement Review. Of the 24 liaisons who identified at least one disadvantage of review, nine mentioned the time required to complete forms; and five stated that the fact that the Board members were lay persons was the primary disadvantage. Three other liaisons felt that outside review

was redundant of the Division's internal efforts to promote permanence planning; two felt that the time frame for the initial Report of Placement was too short; two felt review had the potential for creating a power struggle between the Boards and DYFS; one felt that review had the potential for delaying children's return home; and the remaining liaison described how the Board had obstructed their work with parents.

Since the problems of the time needed to complete reports to the Board, of untrained reviewers and of possible redundancy of external and internal review have been discussed in Chapter VI, this section will consider the other disadvantages cited by DYFS liaisons.

According to the enabling legislation, workers must submit a plan to the Board within 45 days of the child's entry into care. This plan must identify a long term goal, treatment plan and obstacles to implementing the plan. In the experience of two liaisons, it was difficult for workers to develop a plan within 45 days and they favored extending that time frame. Neither liaison suggested a more realistic time frame, but both emphasized that workers could not provide the detailed information required on the 45 day form.

The four remaining DYFS liaisons' assessments are quoted below.

Review can get sticky if the Board disagrees with us. So far we've avoided a power struggle but it could happen.

The biggest problem? The Board wants to do our job. That can be very difficult.

Well, if we wanted to send a kid home, it could be delayed because we'd have to wait for the Board.

Review makes clients see shadows of hope where there are none. So if the court says it's ok you don't need to go to counseling, parents don't think they have to go. But they do, because we're the ones who have responsibility for the child and if we say they have to go to counseling, then they have to.

Summary

All 36 Board respondents and all but four of the 26 DYFS liaisons (that is the 22 District Office liaisons and four from the Adoption Resource Centers) felt there was some advantage to child placement review. Most respondents felt that requiring DYFS to document all case plans to an outside body forced workers to give more careful attention to permanence planning. Nineteen Board respondents and five DYFS respondents described cases where adoption was planned to indicate how review benefited particular children, and others recalled cases where children were returned home more expeditiously or received additional services while in care to illustrate how external review benefited an individual child.

Most respondents to this study, therefore, confirmed the existence of a "sentinel effect" described in Chapter II. That is, external review bodies can serve the purpose of stimulating internal improvements. The possible advantages of this influence of Child Placement Review Boards will be discussed further in Chapter XII.

Most respondents to this study also identified a disadvantage of child placement review. Some Board respondents recognized that DYFS had increased demands placed upon them; and many DYFS liaisons stated that the time spent in fulfilling reporting requirements to the Board was the major disadvantage. A few other respondents stated that child placement review had the potential for creating a power struggle between the Boards and DYFS.

CHAPTER XII

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Semi-structured telephone interviews with members of 36 of New Jersey's Child Placement Review Boards and 26 persons from the Division of Youth and Family Services (DYFS) indicated that the Boards varied greatly in the way in which they conducted external review. Considerable differences were observed in the degree to which Boards exercised their authority to make independent assessments of foster care cases and in the degree to which the state's 21 counties' Juvenile and Domestic Relations Court supported the Boards. (Seven of the larger counties had more than one Board.)

Important insight about the manner in which Child Placement Review Boards exercised their independent role was in the frequency with which they reviewed particular cases. According to the enabling legislation, Boards must review cases within 45 days of a child's entry into care and then "at least annually."¹ This provision of the law enabled the Boards to use a procedure commonly known as "re-review," or "relist." In instances where Boards agreed with DYFS

¹ Laws of the State of New Jersey for the Second Annual Session, 1977, Chapter 427, 30-4C 58.

planning goals, but wanted to closely monitor case progress, Boards scheduled the case for a subsequent review, usually three to six months later. The most frequent reasons for rescheduling reviews were to assess parents' progress towards fulfilling contractual obligations and to verify that cases were referred to the Adoption Resource Centers (ARC's).

Of the 25 Board respondents who were able to estimate the percentage of cases scheduled for re-review, three Board Chairpersons stated that they re-reviewed at least 90 percent of the cases whereas two other respondents stated that no more than 5 percent of the cases were re-reviewed. On the average, 31 percent of the cases were re-reviewed more than once a year.

As discussed in an earlier chapter, the implicit message of re-review is that the citizen Boards cannot rely on the social work professionals to follow through on such important tasks as working with parents or processing cases for adoption. Rather, Boards felt that it was necessary to act as a persistent overseer of DYFS in order to be effective advocates for children.

The practice of re-review, then, served to put DYFS on notice that another party was taking careful scrutiny of these cases and probably did more to demonstrate the Boards' independent role than formal disagreements with DYFS. (The law provided that DYFS may request a summary hearing before the judge if they disagreed with the Board's recommendation.)

Study findings indicated that formal disagreements with DYFS plans were relatively infrequent, presumably because most children were in the only care arrangement possible. Re-review, on the other hand, recognized the impracticability of taking immediate action (as for example, termination of parental rights when the parent had not had sufficient opportunity to plan for the child) but held DYFS accountable for taking timely action to ensure permanence for children.

The study reported here was not able to determine whether children's average length of stay in care was significantly reduced in counties where Boards re-reviewed most cases. Similarly, it was not possible to assess whether re-review was associated with the procurement of appropriate ancillary services for children and families.

Despite their limitations in the study design, there is some basis for concluding that the practice of re-review strengthened permanence planning efforts. Fifteen of the 36 Board members and five of the 26 DYFS respondents described instances where having to report back to the Board within three to six months forced DYFS to make persistent efforts to work with parents so that the case could come to closure.

That is, having to report back to the Boards, prompted DYFS to make additional efforts to work with parents. The intent of these aggressive efforts was that the parent could resume care; if reunification was not possible, it was likely that there would be sufficient grounds to terminate parental rights and have the child adopted.

In hindsight (which always has the benefit of 20-20 vision), this investigator would like to have asked all study respondents to describe a case which the Board scheduled for re-review before the next mandated annual one. Such descriptions might have yielded further insight into how external review bodies can serve as a catalyst for improving case management of foster care services.

Another way Boards demonstrated their authority was to insist on having DYFS personnel present at all reviews in order to respond to questions raised by the caseworkers' written reports. In seven counties, Boards were able to have regular input from workers; in six counties the DYFS liaison responsible for handling review business regularly attended all review meetings; and in the remaining eight counties, DYFS was present less than 10 percent of the time.

Here again, study findings were not able to produce any hard evidence that the presence of a DYFS person at review meetings was associated with more timely case planning. Nevertheless, this investigator was left with the clear impression that in the 13 counties where a DYFS person regularly attended review meetings, case workers and supervisors

were more serious about ensuring that children had realistic plans. In two of these county DYFS offices, all cases were subject to careful scrutiny by a supervisor not directly

~~involved with the case. These two offices, then, had deve-~~
loped a form of administrative case review. Of the remaining 11 county offices, nine had developed procedures whereby all or most of the plans were carefully scrutinized before transmittal to the Board. Moreover, the supervisors who read these reports were not adverse to returning reports which needed further clarification or work in order to justify the case plan. In these 11 counties (as well as the two counties with administrative review) it seems reasonable to assume that workers felt the impact of review, since they were put on notice that only well documented case plans were acceptable.

In contrast, in seven of eight counties where a DYFS person did not attend review meetings, no person from outside the caseworkers' unit assumed the responsibility for scrutinizing case plans. In these seven county offices, then, it appeared that casework practice was generally unaffected by external review.

A third way in which Boards differed was in the degree of support they received from the Juvenile and Domestic Relations (JDR) Court Assignment Judge. According to the enabling legislation, Child Placement Review Boards were placed under the auspices of this court whose judges had the authority to make the final determination of the child's

plan after considering the Board's recommendation. In addition, the JDR Judge was responsible for ensuring that the Boards had "adequate" staff.

Study findings indicated that four Board respondents had regular contact (usually bimonthly) with their judge to discuss their experiences and to obtain his support when problems arose. Seventeen Board respondents felt that their judge was accessible, although they had no regular meeting time. In contrast, the remaining 15 Board respondents had never met their judge and most felt that he was uninterested in their work. For example, in one county, Boards did not receive feedback from the judge about how he disposed of their recommendations; and in another county, the judge did not encourage the Board to press DYFS on cases when they felt DYFS was remiss in planning.

There was a relationship between Board members' accessibility to the judge and smooth operations of the Child Placement Review Board(s). In two counties, there had been disruptions (defined as not meeting for at least six months) and in both of these counties, the Board respondents had not met their judge. Similarly, another Board whose judge had refused meet with them even after they requested him to clarify their role, disbanded shortly after data collection for the study reported here. Moreover, in two other counties where Board respondents mentioned that they had difficulty obtaining a quorum, respondents stated that they felt their judge was unsupportive of review. For

example, the Board respondent from one county felt rebuffed because the judge had overturned several of their recommendations; in the other county, two Board respondents expressed disappointment that the judge did not inform them of how he disposed of their recommendations.

With regards to staffing of Child Placement Review Boards, all but four counties had a professional person who served as Coordinator; and the remaining four had the services of a secretary (usually the judge's secretary). These persons took minutes of Board meetings and ensured that Board recommendations were sent to the judge. In addition, the professional Coordinators regularly contacted DYFS to obtain supplementary information and 11 Coordinators also contacted parents, foster children and foster parents (usually by telephone) to encourage their attendance and/or to obtain their views about the case. In one of these counties, the Board Coordinator, who was a Probation Officer, had located many parents who had lost contact with DYFS.

In four counties, including one where a Board member reluctantly agreed to type the Board's recommendations to the judge, Board respondents felt that there was inadequate staff support.

Study findings also revealed that just as the Child Placement Review Boards varied in the way they functioned, so did the 22 DYFS District Offices. (One large county had two District Offices.) As mentioned above, two District Offices had a formal in-house procedure for preparing cases

for external review and it appeared that these District Offices had made a conscientious effort to use external review to reinforce their own efforts to ensure permanence for children in foster care. In ten other District Offices, the liaison carefully scrutinized all or some cases (usually those under her direct supervision) but the District Office had not standardized procedures for handling child placement review. In these offices, it appeared that most workers were put on notice that case plans required adequate documentation for review. In the remaining District Offices, there was not a standardized procedure for preparing reports to the Boards; and the liaison was minimally involved with review matters.

It may also be worth noting that only two District Offices had permitted workers' reports to the Boards to replace internal reporting requirements. Another five DYFS respondents felt it was possible for these reports to replace some in-house dictation, but their District Offices had not approved this dual use of Board reports.

Staff attitudes towards review were not associated with office size or the procedures developed for review. The staff's attitudes were, however, associated with the relationships the office had with the local Boards. District Offices which had been at loggerheads with Child Placement Review Boards about sharing information and/or case planning issues were more likely to be opposed to review than staff whose offices had a positive relationship with their Boards.

This descriptive study attempted to consider the impact of review by eliciting study respondents' assessments of the advantages and disadvantages of review. All 36 Board respondents and 22 of the 26 DYFS liaisons (that is the 22 District Office liaisons and four adoption liaisons) felt there was some advantage to review. Most of these persons felt that the primary advantage was that DYFS gave more careful attention to case planning because they knew they would have to report to an outside body. In addition, 31 Board respondents and 12 DYFS liaisons recalled cases where review had a positive effect. Twenty-four respondents cited a case where adoption was expedited; and most of the others recalled cases where children received additional services such as psychotherapy or vocational training. A few respondents recalled cases where children were returned home more expeditiously.

In terms of the disadvantages of child placement review, 14 Board respondents and 24 DYFS liaisons identified at least one disadvantage. Most Board respondents felt external review had the potential for creating a power struggle between DYFS and the Boards. DYFS liaisons, on the other hand, most frequently mentioned that time spent on review business could have been better spent in direct service to clients or that it was inappropriate to have untrained persons review DYFS planning goals.

Implications of Study Findings

While one might expect that Board members would give a positive appraisal of external review, the fact that 22 of the 26 DYFS liaisons concurred that there were advantages to external review suggests that outside monitoring has merit. Like Board members, the majority of DYFS respondents stated that having to report to an outside body forced staff to give more careful attention to permanence planning. Repeatedly, DYFS respondents mentioned that "review keeps us on our toes."

Admittedly both Board and DYFS respondents' comments are "soft" in nature and this study finding hardly constitutes "hard" evidence which could only have been obtained from an experimental study. On the other hand, what better indication of the strengths of external review can be offered than to have those being monitored attest to its value?

The alleged benefit of external foster care case review has similarities with the rationale for "checks and balances" in American government. According to checks and balances theory, no one body should have absolute power lest a small minority impose its will on the majority. Thus, our founding fathers developed an elaborate system whereby the administration of government was separated into legislative, executive and judicial functions and each branch could impose limitations on the others.

The value of special precautions to ensure that government would remain responsive to the needs of the citizenry

was of particular concern to Alexander Hamilton who wrote in
The Federalist Papers

If men were angels, no government would be necessary.
 ----- If angels were to govern men, neither external nor -----
 internal controls on government would be necessary.
 In framing a government which is to be administered
 by men over men, the great difficulty lies in this:
 you must first enable the government to control the
 government; and in the next place oblige it to control
 itself. A dependence on the people is, no doubt, the
 primary control on the government; but experience has
 taught mankind the necessity of auxiliary precautions.¹

Relating Hamilton's observations to public administra-
 tion of foster care services, one could argue that society
 must first enable government agencies to provide necessary
 services and then hold them accountable. While all govern-
 ment agencies are ultimately responsible to the electorate,
 experience indicates that additional measures, such as
 external review, have been beneficial in ensuring
 accountability.

With regard to government's involvement in foster
 care, it is first necessary to provide the designated
 authority (that is, the state child welfare agency) with
 sufficient resources such as adequate staff and the ability
 to offer concrete services. In addition, the designated
 authority must have the sanction of law to do its job. For
 example, the state must enable a child welfare agency to
 terminate parental rights when necessary.

¹ Alexander Hamilton, James Madison and John Jay, The Federalist No. 10, (ed by Benjamin Fletcher Wright, Cambridge, Massachusetts: The Belknap Press of Harvard University, 1961) p. 356.

Providing sufficient resources, however, is no guarantee that the child welfare agency will do its job of making permanent plans for youngsters in care. Experience has shown that accountability is strengthened when external review mechanisms are established. In the study reported here, almost all of those subject to external review confirmed that it encouraged them to give additional efforts to make permanent plans for youngsters on their caseloads.

DYFS respondent's statements about the influence of independent monitoring indicated that New Jersey's system for child placement review had exerted a "sentinel effect". In brief, the "sentinel effect" is a stimulus to those under scrutiny to strengthen service delivery so that clashes with the monitoring agent can be avoided. As discussed earlier in Chapter II, students of other independent monitoring systems have observed this phenomena; so New Jersey's experience with foster care case review is consistent with other's observations.

In describing how they had used review to stimulate permanence planning, five DYFS respondents' comments indicated how the "sentinel effect" operated within their offices. In two District Offices, there was evidence that review had affected the way permanence planning was handled, because all cases received intensive scrutiny before transmittal to the Child Placement Review Boards. In three other District Offices, individual supervisors took appropriate action when cases to be reviewed by the Boards lacked

clearly stated objectives and/or time frames.

Another advantage to external review was mentioned by nine DYFS respondents who described how workers used review to reinforce their work with clients. Eight DYFS respondents stated that some workers had referred to external review to impress upon parents the importance of timely planning for their youngster(s) in care, and another recalled that a worker had referred to external review to emphasize to a foster parent the benefit of adopting her foster child. Although only one Board respondent heatedly endorsed this practice, the DYFS liaisons recalled these instances to illustrate a potential benefit of external review.

While most professionals who work within a bureaucratic organization resent having to comply with government mandates, there are situations where such regulations are consonant with professional values. For example, the welfare rights movement encouraged workers to become thoroughly familiar with public assistance regulations, so that their clients could receive their full entitlements.¹ Since child welfare workers must function within a bureaucratic structure with its myriad rules and regulations, it is important for them to consider what regulations can be used to promote casework goals.²

¹ Frances Fox Piven and Richard A. Cloward, Regulating the Poor, (New York:Random House, 1971).

² Brenda G. McGowan, "Strategies for Bureaucracies," (Working for Children, ed. by Judith S. Mearig, San Francisco: Jossey-Bass, 1978) pp. 155-178.

Referring to external review to reinforce their work with parents, foster children and foster parents is an example of how child welfare workers can use a state mandate to reinforce the work of making permanent plans for children in placement. Experience in Alameda (California) indicates that many parents can make timely plans when they know what is at stake;¹ DYFS may want to encourage workers to interpret external review in this way.

Although study findings demonstrate that there are benefits to external review, the experience of study respondents also indicated that New Jersey's system is not without its problems. The most serious barrier appeared to be lack of judicial support, which was manifested in lack of communication between local Child Placement Review Boards and the judge and lack of adequate staff support.

A recent evaluation of four states' experience with citizen review boards concluded that placing citizen panels under court auspices provides for a more effective monitoring of foster care cases, because the "Courts have a well defined and final authority for children."² This descriptive study of New Jersey's experience, however, indicates

¹ Theodore J. Stein, Eileen D. Cambrill and Kermit T. Wiltse, Children in Foster Homes. New York, New York: Praeger Publishers, 1978.

² Jon R. Conte, Shirley M. Buttrick, Gaylord Gieske, A Qualitative Evaluation of Citizen's Review Boards in Four States. (Mimeo) Center for Social Policy Research, University of Illinois at Chicago Circle and League of Women Voters of Illinois. January 1981.

that integrating review boards into the judicial system is no guarantee that they will have a consistently strong impact on permanence planning. Study findings indicated that one-third of the 36 Board respondents felt that their judge was not supportive of their efforts. In one county, the judge refused to meet with the Board who wanted him to clarify the extent to which they could press DYFS to take timely action on cases. In another county, the judge did not inform the Boards how he disposed of cases and in two counties, there had been a six month period during which the judge had not signed the Board's recommendations.

On the other hand, study findings also indicated that several judges were most supportive of review. For example, one judge agreed to subpoena DYFS to transmit cases to the Board if the District Office failed to do so during their conversion to an MIS system. Another judge secured county funding for a full complement of staff to the Board and two other judges assigned some of their senior personnel to staff Child Placement Review Boards.

While there may be value to placing citizen review boards under the auspices of the court, what is also needed is a central administration. Perhaps the lack of funding for such staff support in the enabling legislation reflects a presumption on the part of the legislature that volunteer efforts do not require administrative back up. Such an assumption fails to recognize that citizen review of foster care cases is work. Child Placement Review Boards are not

cliques of well meaning citizens who meet informally to talk about foster care. Rather, Child Placement Review Boards have been assigned the serious business of assessing case plans for children in an effort to stimulate appropriate action by an allegedly sluggish system. Theirs is a task which requires a structure to ensure that all cases are reviewed within mandated time frames, that interested parties are notified and that DYFS supplies the necessary information. Thus the Boards need not only a regular meeting time and place but they also need someone to ensure that the agenda can be carried out and that correspondence and other follow up contacts are handled between meetings. Without such administrative backup, citizen review boards are seriously hampered in the ability to fulfill their responsibilities.

It may be worth noting that both South Carolina and Arizona, two states which are generally recognized as having strong systems of citizen review, have a centralized (state-wide) system to provide administrative support to Boards. In both states, a professional staff person attends all meetings and handles follow up work outside of the review meetings.¹ In addition, the central office provides regular training to all Board members who are expected to participate in training.

The importance of additional training was recognized by

¹ Ibid.

several Child Placement Review Board members who responded to the study reported here. Areas of special interest included requirements for adoption subsidy, the appropriateness of long term foster care, and the use of residential schools for troubled youngsters.

With regard to training for Board members, this investigator felt that many Board respondents had a limited perspective about their need for additional knowledge about child welfare practice.

In the two one day training sessions which this investigator attended, much emphasis was placed on the advantages of adoption and much discussion ensued about what constituted sufficient grounds for termination of parental rights. Moreover, a few Board respondents to this study were quite knowledgeable about the "best interest" theory espoused by Solnit and Freud;¹ but none were aware that this viewpoint has been challenged by some child welfare experts.² Rather, it appeared that several Board members interpreted the "best interests" principle as justification for termination of parental rights.

¹ Joseph Goldstein, Anna Freud and Albert J. Solnit. Beyond the Best Interests of the Child, (New York Free Press, 1973).

² Shirley Jenkins, review of Beyond the Best Interests of the Child and Before the Best Interests of the Child by Goldstein, Solnit and Freud, in Social Casework Vol. 62, No. 5 (May 1981) pp. 316 and 317, and Alfred Kadushin "Myths and Dilemmas in Child Welfare," Child Welfare LVI, 3 (1977) pp. 324-362. See also Judith S. Wallerstein and Joan Beslin Kelly, Surviving the Breakup (New York: Basic Books, 1980), P.316.

Recommendations for further Research

It is generally recognized that research begets more research and the study reported here is no exception. Another factor influencing the following recommendations for further study is that available resources limited what could be analyzed about the phenomenon of external foster care case review. For these reasons, then, this investigator urges that additional work be undertaken to consider issues which this study could not address.

1. An indepth comparison of the long term benefits of the various types of external review should be undertaken.

As discussed in the above section, the central finding from this study indicates clear advantages for having mandated external review of foster care cases. The primary advantage of external review is that it can serve as a catalyst to stimulate child welfare workers to take additional efforts to make permanent plans for youngsters in placement. Another advantage is that review can facilitate the networking of child advocates who can press for needed change.

The advantages of external review documented here are consistent not only with another study of New Jersey's system for child placement review¹ but with evaluations of

¹ Ed Leefeldt, In Search of the Paper Children, (Princeton, New Jersey: 1982).

other state's experience with independent foster care review systems.¹

This consistency in observing external review's "sentinel effect," however, obscures an important question, for there has been no systematic study comparing the strengths and weaknesses of the various types of external foster care review.

During the last decade, three types of external foster care case review have emerged: 1) judicial review; 2) court administered review, and 3) review by citizen panels unaffiliated with the court. It is generally recognized that a primary advantage to judicial review is its ability to exert the most influence on caseworkers and parents, because the courts have both stature in the community and a long tradition of involvement in foster care. Another frequently mentioned advantage is that the courts have subpoena power, so they can compel agency workers and/or other interested parties (namely parents) to appear. At the same time, however, it is also recognized that judicial review is costly and that judges may not have sufficient time to adequately scrutinize cases. One consequence of placing responsibility for external review with an overburdened judiciary is that this type of external review is usually conducted annually or less frequently. In the opinion of some, a year's interval

¹ Conte op cit., and Trudy Bradley Festinger, "The New York Review of Children in Foster Care, "Child Welfare, LIV, 4 (April 1975) pp. 211-244.

Errata: Page 216, 217, 218 do not exist.

undermines the effectiveness of external review because many children become entrapped in foster care soon after being removed from their families.¹

Another consequence of holding the judiciary responsible for external foster care case review is that these reviews are often perfunctory. For example, one observer has noted that many judges spend less than five minutes on each case.²

For some, court administered review strikes a balance between the advantages and disadvantages of judicial review. In several jurisdictions throughout the country, a single court appointed volunteer conducts an independent review of foster care cases, whereas in at least two states (Arizona and New Jersey), citizen panels appointed by the court have responsibility for overseeing case planning. Either arrangement for court administered review has the advantage of being less costly than full scale judicial review. Moreover, it is generally agreed that volunteer citizens can spend more time assessing cases than judges. Furthermore,

¹ Conte, op cit; Barbara Chappell and Barbara Hevener "Periodic Review of Children in Foster Care: Mechanisms for Review," (Newark, New Jersey: Child Service Association, March 1977); and John J. Musewicz "The failure of Foster Care: Federal Statutory Reform: and the child's Right to Permanence," Southern California Law Review, 54:4, (May 1981), pp. 633-766.

² Michael S. Wald, "State Intervention on Behalf of "Neglected Children: Standards for Removal of children from their Homes, Monitoring the Status of children in Foster Care, and Termination of Parental Rights", Stanford Law Review, 28:4, (April 1976)

all interested parties have ready access to the court if it becomes necessary to resolve disagreements at this level.¹ Another advantage of having volunteer reviewers is the potential for networking in order to press for needed change; in fact, some states (including New Jersey and Tennessee) require that citizen review boards become actively involved in formulating state policy.²

In addition, some proponents of citizen board review argue that the informality of the procedure is advantageous, because interested parties are often more comfortable discussing case planning with citizens as opposed to a formal court proceeding.³ The informality of citizen reviewers is seen as a key advantage by the British who have established lay tribunals to hear grievances from recipients of public welfare⁴ as well as from employees who contend that they were treated unfairly by their employers.⁵

The third arrangement for external foster care case review is the establishment of citizen panels under the auspices of an independent body. Proponents of this form of

¹ Chappel and Hevener, op cit. and Musewicz op cit.

² Musewicz, op cit p 702, footnote 272.

³ Corinne Driver, Hon. B. Thomas Leahy, Bernice Manshel and Janet Moyer, Child Placement Review Manual, Trenton, New Jersey: Supreme Court of New Jersey, November 25, 1980

⁴ Melvin Herman. The Administrative Justice and Supplementary Benefits, London: J. Bell and Sons, 1972

⁵ New York Times, May 11, 1982 P. D1.

review maintain that this arrangement has the same advantages as court administered review; at the same time, they ~~feel it is preferable to be independent of any agency or~~ court so that they can have a disinterested point of view about what constitutes the best interests of the child.¹

At least one critic of independently functioning citizen review panels, however, is skeptical of using volunteers, contending that 1) it is dubious whether a sufficient number of qualified volunteers can be recruited to carry out an effective review process; 2) the possible loss of "psychological deference" to judicial action: may thwart reinforcement of review boards' recommendations; and 3) there is question about the advisability of creating another bureaucracy when the courts already have an established role in foster care.²

Until now, it would have been difficult, if not impossible, to conduct a systematic study comparing the long term benefits of the various forms of external review, because most states' systems have recently been implemented. The timeliness of such a study, however, may be imminent, since many states have had (or soon will have) several years experience with external review.

A study of the long term effects of external review

¹ Chappell and Hevener, op cit, pp 9-10.

² Musewicz op cit, P. 705.

would need to consider the extent to which the review process has been sustained over time. For example, it would be important to ascertain whether all appropriate cases were reviewed in a timely manner; whether those charged with responsibility for review were of sufficient number and had adequate training to carry out the task; and how the agency under scrutiny has reacted to external review over time. In addition, such a study would need to consider such outcome measures as whether children's length of stay in care was significantly reduced and whether more "specific needs" youngsters had premanent plans made for them.

2. The long term benefits of external vs internal foster care case review should also be weighed.

As their names imply, external review refers to arrangements whereby responsibility for case monitoring is placed outside of the foster care system, whereas internal review (also referred to as administrative review) is conducted within the foster care agency. Unlike the traditional caseworker - supervisor scrutiny of cases, internal review systems usually include an agency person not directly involved in service delivery. Although most proponents of external review regard internal review as insufficient, this investigator would caution against such dismissal of internal review's potential effectiveness for two reasons.

Both Kentucky's and Minnesota's experience with internal case review clearly suggsts that the alledged benefits of external review can be accomplished through internal review.

Since 1973, Kentucky has mandated semi-annual review once a child has been in care for six months. Chaired by an administrative supervisor, natural parents, caseworker and team leader are expected to discuss the treatment goals.

According to internal studies of their administrative review system, one county's discharge rate increased by 33% within three months. In addition, there were 52% fewer referrals for foster care and 37% fewer placements, presumably because greater emphasis was placed on providing preventive services. Since the number on which these percentages were based are not reported, these statistics should probably be viewed with caution.¹

In 1976, Stearns County, Minnesota subjected all foster care cases to internal review within six weeks of the child's entry into care and then semi-annually. These reviews are attended by foster parents, the caseworker, supervisor and two administrators. Early reports indicated that the quality of case planning and implementation of case goals had increased, primarily because workers recognized that administrators had assigned a high priority to these cases.²

A second advantage of internal review which warrants attention is its low cost, since review personnel are

¹ Kentucky Department of Social Services, "An Agency Holds Itself Accountable: Kentucky's System of Internal Review, Kentucky: 1979.

² Minnesota Department of Public Welfare, "Foster Care," St. Paul: Summer 1979.

already employed by the foster care system.

A central question in assessing the benefits of internal review is whether the necessary changes in the system of foster care service delivery system are more likely to be sustained over time when internal review rather than external review is in operation. In other words, when "turf" considerations are moot, is there greater likelihood that substantive change can occur because the agency does not feel compelled to take a defensive posture? Here again, a comparison of the long term benefits of internal and external review can only be undertaken after both arrangements have been operative for several years.

Internal review has precedent with peer review systems which have operated within hospital settings after the federal government made this a requirement for funding in 1972. The rationale for peer review is that profession performance is most appropriately assessed by one's peers, who have the necessary understanding of their own norms, criteria and standards.¹ This alledged benefit of peer review would, of course, apply to internal foster care cases as well. The study reported here, as well as another study of citizen review boards², indicated that some agency staff were critical of lay reviewers who imposed their own middle

¹ Claudia J. Coulton, Social Work Quality Assurance Programs: A Comparative Analysis. (Washington, D. C.: National Association of Social Workers, 1979.)

² Conte op cit.

class biases on clients. Presumably this would be less of a problem if reviews were conducted by social work colleagues.

3. Other methods for ensuring accountability in foster care also need to be considered.

To date, most child welfare advocates have supported case review for all children in foster care. Little attention has been given to considering whether other types of review would be as effective. For example, some have suggested that in the interests of costs, a sample of cases be subject to case review rather than the entire foster care caseload.

At present, Delaware is conducting external foster care case review for a sample of cases. In Delaware, citizen boards review a sample of cases, and the court has the ultimate authority to resolve disputed board recommendations.¹

In the opinion of this investigator, this approach to case review warrants further consideration and it would be appropriate to conduct a controlled study to compare the effectiveness of reviewing the entire caseload or a sample of cases.

Another approach to strengthening accountability in foster care is reliance on aggregate data to identify particular groups of children who are most vulnerable to becoming "entrapped" in foster care. After such children are identified, a review body could exert pressure to see

¹ Musewicz, op, cit. p 704 footnote 278.

that these youngsters' needs were addressed. This tact has been used in Virginia where workers were required to submit status reports on the 11,303 children in placement as of June 30, 1976. After administrators reviewed these status reports, special attention was directed towards the 1,887 children who were freed but not yet adopted. For these children, additional efforts to locate permanent homes were undertaken. Similarly, agency administrators took a special look at some 200 youngsters in out-of-state placement, so that appropriate services could be developed for them within the state.¹

With the development of computerized management information systems, such an approach to holding the foster care system accountable is more feasible. One advantage to this approach is that attention is directed towards remedying structural deficits in the foster care system. Unlike case review whose primary function is to verify that the most appropriate plan is being made for an individual child, focusing attention on classes of children at risk has the potential for remedying a fundamental problem in foster care, namely, a dearth of services for "special needs" youngsters.

Of course, case review and the approach described here

¹ Department of Welfare, Commonwealth of Virginia.
"Children in foster Care: Research Findings from Status Report and Foster Care Case Review," (Richmond, Virginia, January, 1977)

are not mutually exclusive. This investigator presents the latter idea to child welfare advocates who are interested in overcoming some of the limitations of individual case review. As another analysis of external foster care case review has pointed out¹, this quality control mechanism is no panacea. A major limitation is that it cannot develop services necessary to avert foster placement or to enable youngsters to leave care. To accomplish these objectives, other kinds of advocacy are needed.

It has been suggested that the first revolution in child welfare occurred during the first half of this century with the development of foster boarding homes as an alternative to institutional care. Currently, we are in the midst of the second revolution which is manifested in the commitment to permanence planning. To the extent that formalized case review can strengthen permanence efforts, it should be encouraged. At the same time, however, child advocates would be well advised to develop case review systems which have demonstrated long term effectiveness in stimulating permanence planning, lest the "cure" become worse than the allegedly sluggish system it was designed to correct.

¹ Jan Park Cutler and John W. Bateman, "Foster Care Review: Can It Make a Difference?" Public Welfare, Vol. 39, no.4 (Fall 1980), pp 45-51.

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APPENDIX A: COPY OF CHILD PLACEMENT REVIEW ACT

CHILD PLACEMENT REVIEW ACT

30:4C-50. Short title

This act shall be known and may be cited as the "Child Placement Review Act."

30:4C-51. Legislative declarations

The Legislature declares that it is in the public interest to afford every child placed outside his home by the Division of Youth and Family Services with the opportunity for eventual return to his home or placement in an alternative permanent home; that it is the obligation of the State to promote this end through effective planning and regular review of each child's placement; and that it is the purpose of this act to establish procedures for both administrative and judicial review of each child's placement in order to ensure that such placement serves the best interest of the child.

30:4C-52. Definitions

As used in this act, unless the context indicates otherwise:

- a. "Child" means any person less than 18 years of age;
- b. "Child placed outside his home" means a child under the care, custody or guardianship of the division who resides in a foster home, group home or residential treatment facility operated by or approved for payment by the division;
- c. "County of supervision" means the county in which the division has established responsibility for supervision of the child;
- d. "Division" means the Division of Youth and Family Services in the Department of Human Services;
- e. "Temporary caretaker" means a foster parent as defined in section 1 of P.L.1962, c. 136 (C. 30:4C-26.4) or a director of a group home or residential treatment facility.

30:4C-53. Placement of child outside home; notice; filing; form; contents; jurisdiction of court; notice of permanent placement

Within 72 hours after the placement of a child outside his home pursuant to a voluntary agreement, the division shall file notice of such placement with the juvenile and domestic relations court in the child's county of supervision. Such notice shall be in the form of a complaint encaptioned "In the matter of _____, a minor" and shall include the date and type of placement and the reasons for such placement. Such filing shall establish a continuing jurisdiction of the court over the placement of the child.

The division shall also file immediate notice with the court of any change in placement and of the permanent placement or return home of the child. The court's jurisdiction shall cease upon receipt of such notification of the return home or alternative permanent placement of the child.

30:4C-54. Approval of placement by voluntary agreement by court; hearing; notice

The court shall, within 15 days following receipt of the notice of the initial placement pursuant to a voluntary agreement, determine, based solely upon the complaint and other affidavits and written materials submitted to the court, whether or not the continuation of the child in his home would be contrary to the welfare of the child, and either approve the placement or order the return of the child to his home.

If the court has before it conflicting statements of material fact, the court may require supplementary material or may schedule a summary hearing. The court shall provide written notice of the date, time and place of such hearing to the parents or legal guardian of the child and the division.

30:4C-55. Placement plan; preparation and revision; contents

The division shall prepare and revise, when necessary, in consultation with the child's parents or legal guardian and, when appropriate, the child, a placement plan for each child placed outside his home. The plan shall include:

- a. A statement of the goal for the permanent placement or return home of the child;
- b. The intermediate objectives relating to the attainment of the goal; and
- c. A statement of the duties and responsibilities of the division, the parents or legal guardian and the temporary caretaker, including the services to be provided by the division to the child, the parents or legal guardian, and the temporary caretaker.

30:4C-56 Administrative procedures to provide for needs of children and to obtain federal aid

The division shall be responsible for establishing such administrative procedures as will enable it to effectively provide for the needs of children placed outside their homes and to secure such Federal funding as is available to meet these needs. Such

procedures shall provide for:

- a. Appropriate planning and regular review of each child's case by the division;
- b. Collection and analysis of data regarding the division's caseload to facilitate the continuing evaluation of the division's services, policies and procedures with regard to children placed outside their homes; and,
- c. Provision of such information as may be required by the courts or the placement review boards.

30:4C-57. Child placement review boards; members; qualifications; appointment; terms; vacancies; reimbursement of expenses; meetings

The assignment judge in each county shall establish as an arm of each juvenile and domestic relations court one or more child placement review boards. The number of review boards in each county shall not exceed the number of juvenile and domestic relations judges authorized for the county. Each board shall consist of five members to be appointed by the judge from among the residents of such county. Each member shall be a person who has either training, experience or interest in issues concerning child placement or child development. Each board shall, to the maximum extent feasible, represent the various socioeconomic, racial and ethnic groups of the county in which it serves. The judge shall annually select one of the members of the board as chairperson.

Members shall be appointed for terms of 3 years, except that of those initially appointed, one shall be for a term of 1 year, two for terms of 2 years, and two for terms of 3 years. Members shall serve after the expiration of their terms until respective successors shall have been appointed. Vacancies shall be filled for the duration of the unexpired terms. Members shall serve without compensation but shall be reimbursed for such reasonable and necessary expenses incurred in the performance of their official duties. The governing body of the county in which the board serves may, at its discretion, provide for reimbursement to review board members for such additional and reasonable expenses as the governing body may determine.

Each board shall meet at such times as it shall determine. Each juvenile and domestic relations court shall provide its board with reasonable and necessary clerical support services.

30:4C-58. Review to determine if best interests of child served by placement under voluntary agreement or court order; time of completion; periodic review

Each board shall act on behalf of the juvenile and domestic relations court in reviewing the case of every child placed outside his home pursuant to a voluntary agreement to determine whether the best interests of the child are being served by such placement. Such a review shall be initiated within 45 days following the initial placement and completed within 15 days thereafter. A periodic review shall take place at least every 12 months thereafter.

Each board shall also act on behalf of the juvenile and domestic relations court in reviewing the case of each child placed outside his home by the division in accordance with a court order pursuant to P.L.1974, c. 119, s. 34 (C. 9:6-8.54), P.L.1951, c. 138, s. 12 (C. 30:4C-12), P.L.1973, c. 306, s. 21 (C. 2A:4-61) or P.L.1973, c. 306, s. 22 (C.2A:4-62). Such a review shall be initiated upon receipt by the board of the placement plan, which shall be submitted by the division within 45 days of the court order. The board's review shall be completed within 15 days of receipt of the plan. A periodic review shall take place at least every 12 months thereafter.

All such reviews shall include, but not necessarily be limited to, the consideration and evaluation of such matters as:

- a. The appropriateness of the goal and objectives of the placement plan;
- b. The appropriateness of the services provided to the child, the parents or legal guardian and the temporary caretaker;
- c. Whether the child has siblings who are also placed outside of their home;
- d. Whether the wishes of the child were considered regarding placement and development of the placement plan, when appropriate;
- e. Whether the division, the parents or legal guardian and the temporary caretaker are fulfilling their respective responsibilities in accordance with the placement plan;
- f. Whether the parents or legal guardian have been afforded the opportunity and been encouraged to participate in a program of regular visitation with the child;
- g. Whether there are obstacles which hinder or prevent the attainment of the placement plan objectives and goal; and
- h. The circumstances surrounding the placement.

In the case of a child in placement outside of his home on the effective date of this act, the first review shall be completed as

soon as possible, but not later than 12 months following such effective date.

30:4C-59. Written notice of review; conduct of review

Each board shall provide written notice of the date, time and place of each review at least 15 days in advance to the following, each of whom shall be entitled to submit information in writing to the board:

- a. The division;
- b. The child;
- c. The parents or legal guardian, and
- d. Any other person or agency whom the board determines has an interest in or information relating to the welfare of the child, which may include the temporary caretaker.

The board shall conduct a review and make recommendations based upon the written materials; provided, however, that the board may afford any party or person an opportunity to appear before it if the board feels that such an appearance will assist it in conducting its review or making its recommendations.

30:4C-60. Written report; findings

Within 10 days after the completion of such review, the board shall submit a written report to the juvenile and domestic relations court and the division. Such report shall offer one of the following findings, stating the specific reasons therefor:

- a. That return of the child to his parent or legal guardian is in the child's best interest;
- b. That continued placement outside of the home is in the child's best interest and that the placement plan is appropriate for the child's needs;
- c. That continued placement outside of the home is in the child's best interest, but that the placement plan is not appropriate for the child's needs;
- d. That the initiation of proceedings for the termination of parental rights in order to free the child for adoption is in the child's best interest.

30:4C-61. Court order concerning child's placement; review of report; determination; hearing; notice

a. Upon review of the board's report, the juvenile and domestic relations court shall issue an order concerning the child's placement which it deems will best serve the interests of the child. The court shall either:

- (1) Order the return of the child to his parents or legal guardian;
- (2) Order continued placement in accordance with the placement plan currently in effect;
- (3) Order continued placement in accordance with a new placement plan to be developed by the division and approved by the court; or
- (4) Order continued placement and recommend that the division initiate proceedings to terminate parental rights in order to free the child for adoption.

b. In reviewing the report, the court may request that, where available, any written or oral information submitted to the board be provided to the court. The court shall make a determination based upon the report and any other information before it; provided, however, that if:

- (1) The court has before it conflicting statements of material fact which it cannot resolve without a hearing; or
 - (2) A party entitled to participate in the proceedings requests a hearing; or
 - (3) The court concludes that the interests of justice require that a hearing be held;
- the court may schedule a summary hearing.

c. Notice of such hearing, including a statement of the dispositional alternatives of the court, shall be provided at least 30 days in advance to the following parties, each of whom shall be entitled to participate in the proceeding:

- (1) The division;
- (2) The child;
- (3) The child's parents or legal guardian

The court may also request additional information from any other persons or agencies which the court determines has an interest in or information relating to the welfare of the child, which may include the temporary caretaker.

30:4C-62. Child placement advisory council; members;
responsibilities

There is hereby established a Child Placement Advisory Council to consist of one member from each of the child placement review boards to be selected annually by the chairman of each review board. The Administrative Office of the Courts shall provide the council with reasonable and necessary clerical support services. It shall be the responsibility of the council to:

- a. Advise the Supreme Court with respect to the issuance of rules governing the duties, responsibilities and practices of the review boards;
- b. Review the policies, practices and procedures of the division with respect to the placement of children;
- c. Monitor and evaluate the effectiveness of this act in promoting the welfare of children placed outside their home;
- d. Advise the Supreme Court with respect to the establishment of guidelines and procedures for the training of placement review board members;
- e. Advise the Supreme Court with respect to the establishment of reporting procedures to be followed by the review boards for the provision of data for the evaluation of this act.
- f. Make an annual report on the effectiveness of the implementation of this act to the Supreme Court, the Governor and the Legislature and such other reports as it may deem proper or as may be requested from time to time by the Supreme Court, the Governor or the Legislature.

30:4C-63. Rules for conduct of review boards; promulgation by
Supreme Court

The Supreme Court, in consultation with the Child Placement Advisory Council, shall: issue such rules governing the duties, responsibilities and practices of the board as it deems necessary to effectuate the purposes of this act; establish guidelines and procedures for the training of placement review board members; and establish reporting procedures to be followed by the review boards for the provision of data for the evaluation of this act.

30:4C-64. Joint legislative committee to monitor and evaluate
act; report

The Institutions, Health and Welfare committees of the Senate and General Assembly, or their respective successors, are constituted a joint committee for the purposes of monitoring and evaluating the effectiveness of the implementation of this act.

At least 3 months prior to the date of expiration of this act, the Joint Committee shall report to the Legislature as to whether this act shall be extended, in either its present or modified form, or whether it shall be permitted to expire.

30:4C-65. Severability

If any provision of this act or the application thereof to any person or circumstance is held to be invalid, the remainder of the act and application of such provision to other persons or circumstances shall not be affected thereby.

APPENDIX B: COPIES OF INTERVIEW GUIDES

INTERVIEW GUIDE FOR MEMBERS OF CHILD PLACEMENT REVIEW BOARDS

1. Are you satisfied or dissatisfied with the way Child Placement Review is working?
 - A. Have you observed any changes in the review process?
 - B. Have these changes been positive or negative? If negative, how can the disadvantages be overcome?
2. There are always positives and negatives to everything. What do you see as the major advantage for having child placement review?
3. In your experience, do you think that the review board has had a positive influence on particular cases? If YES, describe.
4. What do you think is the major disadvantage with child placement? Do you have any recommendations for overcoming this disadvantage?
5. Have there been any cases where you felt frustrated about what to do? Describe.
6. How long have you served on a Child Placement Review Board?
7. Do you find the work demanding?
 - A. ASK IF NOT MENTIONED. Are you spending more time than you had originally anticipated?
 - B. Are you finding that the cases are more complex than you had originally thought?
8. Are you getting support from other Board members?
 - A. ASK IF NOT MENTIONED. Are you finding that one or two people do most of the work?
 - B. Do members attend most (80% or more) meetings? What do you do when members are absent?
9. Has membership on the Board changed since review began?
 - A. ASK IF CHANGES HAVE OCCURRED. How many members have resigned?
 - B. Why have they resigned?
 - C. How were new members recruited?

10. Do you know why you were appointed?
 - A. What is your background?
 - B. What is the background of other Board members?
11. Does your Board have any staff?
 - A. If YES, who are they? Is the staffing adequate? Has the staffing changed since review began? Does the agency relate primarily to Board staff or directly to the Board? Is this arrangement satisfactory?
 - B. If NO, have you requested staff? Why or why not? If REQUESTED, why have you been unable to obtain staff?

IF BOARD HAS INDEPENDENT INVESTIGATORS, ASK QUESTION 12.
12. Does your board receive any information from independent investigators?
 - A. If YES, who are they?
 - B. Are investigations done by telephone, home visits or both? If HOME VISITS, do DYFS workers ever accompany investigators?
 - C. Are investigations generally done on all cases or on a selective basis? If SELECTIVE BASIS, what kinds of cases tend to have an independent investigation?
 - D. How often have findings from home investigations been different from DYFS reports? If EVER, what was the nature of these differences? How were these situations resolved?
13. Do you feel that your judge has been supportive of child placement review?
 - A. How often do you meet with the judge?
 - B. How often have you asked the judge to subpoena information? Why? How often have your requests been granted? What have you done when the request was denied?
 - C. Will your judge hear a guardianship petition only if the Board has recommended adoption?

D. Does the judge review your recommendations on a timely basis?

14. Now that you have served on a Review Board, are you optimistic about what citizens do to improve child welfare services?

ASK IF NOT MENTIONED.

A. Has your Board been able to influence the way DYFS handles cases? Describe.

B. Have you noticed any changes in the way cases are handled since Review began?

C. Has your Board undertaken any advocacy efforts?

15. How would you characterize your relationship with DYFS?

A. On the whole, would you say that your district office is doing an above average, adequate, fair or poor job?

16. How have the standard reporting forms ("Pink Forms") affected review?

A. Has this been positive or negative? If NEGATIVE, is there a way that these obstacles can be overcome?

17. How have the guidelines for conducting review which are outlined in the manual affected your work?

A. If YES, what are the advantages and disadvantages? How can the disadvantages be overcome?

B. Do you think it is desirable to have a uniform review process or do you prefer that each local Board develop its own way of implementing review?

18. Have you received any training about review?

A. If YES, who provided training? What subjects were covered? When was training given? How would you assess training?

II. PROCEDURES FOR REVIEW

19. Could you tell me how you conduct a review meeting?

ASK IF NOT COVERED.

- A. When clients, DYFS or other interested parties appear at review meetings, are they sworn in? If YES, why did you decide to do this? How do you think people react to being sworn in?
- B. At Review meetings, do you call witnesses by their first name?
- C. When witnesses appear at Review meetings, how do you introduce yourselves? Do you mention that the Board is volunteer? Do you tell witnesses that they may request a summary hearing? Do Board members give their names?
- D. Do you meet with witnesses separately or all together? Why did you decide on this arrangement?
- E. Do you tape the proceedings of Review meetings? If YES, why did you decide to tape Review meetings? How do the taped proceedings assist your work?

If NO, do you keep a written record of Review proceedings? If YES, who is responsible for recording? Is this arrangement satisfactory?

IF ANY KIND OF RECORD IS KEPT, have you taken any measures to protect confidentiality?

- F. Do you use a set format or do you make individual recommendations for each child? If SET FORMAT, who developed the format? WHY? Is it satisfactory?
- G. Does your Board keep a record of cases that have been reviewed? If YES, who is responsible for the record? Is a record kept on all cases or some cases? If SOME, how are cases selected for record keeping?
- H. Where do you meet? Is this arrangement satisfactory?
- I. How frequently do you meet?
- J. How long do review meetings last? Do you have a set time for adjourning or do you take as long as needed?
- K. On the average, how many cases do you review at each meeting? Do you find that some cases take longer than others? WHY?

- L. Does the Board review cases where children are in para-foster homes? Independent living arrangements? Long term institutional settings?
- M. How is DYFS informed of Board recommendations? Is this arrangement satisfactory?

20. In your experience, have natural parents been adequately informed about Review?

IF YES, ASK: How have they learned about the purpose of review?

IF NO, ASK: What has been the basis of clients' misunderstanding?

Have any steps been taken to correct this situation?

21. How much effort does the Board put into encouraging natural parents to attend Review meetings?

A. Do you think that it is important to have input from parents? Why or why not?

B. How often have you advised parents to seek counseling? Do you know if your advice was taken?

C. How often have you advised parents about their inability to plan for their child?

D. Have parents presented material which is different from the material submitted by DYFS? If YES, how were these differences resolved?

E. Are letters from parents sufficient or do you prefer that parents appear? WHY?

22. In your experience, have foster children been adequately informed about Review?

If YES, ASK: How have they learned about Review?

If NO, ASK: What has been the basis of foster children's misunderstanding?

Have any steps been taken to correct this situation?

23. How much effort does the Board put into encouraging foster children to attend review meetings?

A. Do you think it is important to have input from children? Why or why not?

- B. How often have you given advice to children?
DESCRIBE.
 - C. How often have you confronted children about their behavior?
 - D. Have foster children presented information which is different from material submitted by DYFS? If YES, how were these differences resolved?
 - E. Are letters sufficient or do you prefer that foster children appear?
24. At what age do you think it is appropriate for foster children to participate in Review:
- A. Along with age, should any other factors be taken into account in considering when it is appropriate for foster children to attend Review?
25. In your experience, have foster parents been adequately informed about review?
- A. If YES, ASK: How have they learned about Review?
 - B. If NO, ASK: What has been the basis of clients' misunderstanding?
 - C. Have any steps been taken to correct this situation?
26. How much effort does the Board put into encouraging foster parents to attend Review meetings?
- A. Do you think that it is important to have input from foster parents? Why or why not?
 - B. How often have you given advice to foster parents?
 - C. How often have you asked foster parents why they will not adopt their foster children? If ever, how did they respond?
 - D. Have foster parents presented information which is different from material submitted by DYFS? If YES, how were these differences resolved?
 - E. Are letters sufficient or do you prefer that foster parents appear?
27. Have any clients disrupted Review meetings?
- A. If YES, what happened?

- B. Have you taken any measures to prevent future disruptions? Has this been effective?
28. Do DYFS staff attend Review meetings?
- A. Do you think it is necessary to have the caseworker present at the Review meetings? Why or why not?
- B. How often have you asked the agency for policy clarification? Why was this clarification necessary for your work?
- C. If agency does not attend, who decides that the agency should not attend? Are you satisfied with this arrangement?
29. In your experience, does the agency provide adequate information in its reports?
- A. If NOT, what information is inadequate?
- B. How has receiving inadequate information affected your work?
- C. Have you taken any steps to correct this? If YES, what did you do and has this been effective? If NO, why haven't you brought this up with the agency?
30. How often has the agency been late submitting forms? How has this affected your work?
- A. Do you know why the agency was late? Have any steps been taken to correct this situation?
31. What happens when third party reports (e.g. school, psychologist) are missing?
32. What kinds of cases do you take issue with the agency's long term goal of return home?
- A. How have you reconciled these differences?
33. Do you think that foster children should be returned home only if the natural parent can provide as good a home environment as the foster parent?
34. Do you think that it is usually better to have the children stay with relatives than with foster parents?
35. What importance do you place on having a foster family have the same religion as the foster child?

36. What kind of justification should the agency give for selecting a foster family?
- A. Has this been an issue with the agency?
37. What kinds of cases do you take issue with the agency's long term goal of adoption:
- A. How have you reconciled these differences?
38. Do you think that children should be transferred to an adoptive home if their foster parents do not wish to adopt?
- A. Has this been an issue with the agency?
39. What kinds of cases do you take issue with the agency's long term goal of independent living?
- A. How have these differences been reconciled?
40. At what age should independent living be considered an appropriate plan?
41. Along with age, should other factors be considered?
- A. Should a foster child be enrolled in an educational program for independent living?
- B. Should a foster child be earning some income as a condition for independent living?
42. What kinds of cases do you take issue with the agency's long term goal of long term foster care?
- A. How were these differences reconciled?
43. What kinds of cases do you take issue with the agency's long term goal of institutionlization?
- A. How were these differences reconciled?
44. What kinds of cases do you take issue with the agency's short term goal of residential placement?
- A. How were these differences reconciled?
- B. In residential placement, should the Board's recommendation consider financial constrain?
45. What kinds of services should be available to families whose children are in residential placement?
- A. Do you and the agency agree on this?

- B. If these services are not available, would you recommend placement in this facility? If NO, has this been an issue with the agency?

46. What kinds of services should be available to children in residential placement?

- A. Do you and the agency agree on this?
- B. If these services are not available, would you recommend placement in this facility? If NO, has this been an issue with the agency?

47. Have you ever reviewed a case where the long term goal was Other?

- A. What was it? Did you recommend the plan?

48. Has your Board required follow-up reports for any cases?

- A. If YES, what kind(s) of cases require a follow-up report?

How has the agency followed through?

49. How often has your Board disagreed with the long term goals submitted by DYFS?

- A. What was the nature of the disagreement? If ever, was a summary hearing called or did the agency decide to go along with the Board?
- B. If SUMMARY HEARING, what was the outcome?
- C. If NO SUMMARY, do you have any way of knowing whether or not DYFS followed through on your recommendations?
- D. Have you felt uncomfortable disagreeing with DYFS?

50. How often has the Board disagreed with the agency's service plans?

- A. If EVER, what was the nature of some of these differences?
- B. Was a summary hearing called or did the agency decide to go along with the Board?
- C. If SUMMARY HEARING, what was the outcome?

- D. If NO SUMMARY HEARING, how did you resolve the differences? Do you have any way of knowing whether or not DYFS followed through on your recommend?
- E. Have you felt uncomfortable disagreeing with DYFS?
51. As you know, there is a great deal of interest in permanence planning. Do you think that permanence is a realistic goal for all children?
52. Do you think that permanence planning has any adverse consequences?

Thank you for your time. Do you have any additional comments?

INTERVIEW GUIDE FOR DYFS SUPERVISORS

1. Overall, are you satisfied or dissatisfied with the way
Child Placement Review is working?
 - A. How would you characterize your relationship
with the Board?
 - B. Have you observed any changes in the review
process?
 - C. Have these changes been positive or negative?
 - D. Where do you see review going?
2. Along with coordinating Child Placement Review, do you
have other responsibilities?
 - A. If YES, what are they?
 - B. What percentage of your time is taken up with
review? (weekly)
3. At the present time, would you say that staff is enthu-
siastic, mildly for, somewhat critical or opposed to
review?
 - A. Has staff morale been affected by review?
4. Was your office given any training about review before
it began?
 - A. If YES, when was training given? What subjects
were covered?
 - B. Did training include any discussing of
contracting? In your office, about how many
reports specify a contract was made with a client?
How often are written contracts attached to
report?
 - C. Do you think the training was adequate?
5. Has your office received training since review began?
 - A. If YES, what subjects were covered?
 - B. How would you assess the training?
6. Did your office train the Board?
 - A. If YES, when was training given? What subjects
were covered?

- B. How would you assess the training?
- 7. In your judgement, what has been the most serious obstacle in implementing the Child Review Placement?
 - A. Do you think that it is possible to overcome this obstacle? If YES, how?
- 8. Are there other obstacles to implementing review?
 - A. If YES, what are they? Do you think that it is possible to overcome these obstacles?
- 9. How does the use of standard reporting forms affect review?
 - A. If negative, is there any way that these obstacles can be overcome?
- 10. How many children are in placement with this office?
 - A. On the average, how many new placements are made each month?
 - B. At present, how large is the professional staff?
 - C. Is staff at full capacity?
- 11. Do you or other DYFS staff attend review meetings?
 - A. If YES, who attends? What is their role? Do you attend all or some meetings? If SOME, how do you decide when to go?
 - B. If NO, did district office prefer not to attend review meetings or was the agency excluded?
- 12. Before a new case goes to the Board, what steps are taken to prepare for the case?
 - A. ASK IF NOT COVERED: Do you review caseworkers' reports before they are sent for review? If YES, why did you decide to do this? If NOT, did you consider reviewing forms? Why or why not?
 - B. Do you ever return the reports for rewriting? If YES, why?
 - C. Does the unit supervisor review the caseworkers' report?
- 13. Is there any information on the "Pink Form" which is difficult to obtain?

IF YES TO ANY OF THE ABOVE: What do you have to do to obtain it?

- A. Do you have difficulty obtaining third party reports? Do workers have difficulties describing steps to implement goals?

Do workers have difficulty describing "Child's attitude and understanding of placement"?

14. Is there any information on the "Pink Form" which you think is unnecessary?

How many children are in placement with this office?

On the average, how many new placements are made each month?

At present, how large is the professional staff?

Is staff at full capacity?

Is it necessary to have information about why foster home was selected?

Is it necessary to have information about foster parent's religion?

Is it necessary to include information about the child's court involvement? (P.4 D).

- A. If YES to any of the above, have you mentioned this to the Board?

15. At the present time, about how long do workers need to complete a pink form?

- A. Has the time workers need changed since review began? If yes, why is this so?

16. Before a "backlog" case goes to the Board, what steps are taken within this office to prepare the case?

ASK IF NOT COVERED:

- A. Do you review caseworkers' reports before they are sent for review? If YES, why did you decide to do this? If NO, had you thought of doing this? Why or why not?

- B. Do you ever return the reports for rewriting? If YES, why?

- C. Does the unit supervisor review the caseworkers' report?
17. Is there any information required for annual review which is difficult to obtain? Do you use the Pink Form for annual reviews?
- A. If YES, what? What do you have to do to obtain it?
18. Is there any information which you think is unnecessary:
- A. If YES, what? Have you mentioned this to the Board?
19. At the present time, about how long do workers need to complete a Board Report for an annual review?
- A. Has the time workers need changed since review began? If YES, why?
20. In general, have your work procedures been affected by review?
21. Have the reports to the Board for Child Placement Review replaced any other forms used by this office or are these reports additional paperwork?
- A. If forms have replaced others, what forms have been done away with? Do you think that review forms could replace other internal office forms? Why or why not?
22. In your experience, have there been difficulties in sending reports to Board?
- PAUSE. ASK IF NOT MENTIONED.
- A. Are workers late in submitting reports?
- B. How well organized are the procedures for sending reports to the Board.
23. How has the Board responded to the information you have provided?
- PAUSE. ASK IF NOT COVERED.
- A. How often does the Board require clarification of the reports?
- B. Have you had any evidence of dissatisfaction with the reports?

- C. Do you sense that dissatisfaction of agency reports is an unresolved issue?
24. What is the staffing arrangement for the Board?
- ~~A. Does the Board have adequate staff support?~~
 - B. Do you relate primarily to Board staff or do you usually relate to Board members directly?
 - C. How satisfactory is this arrangement?
25. What is the staffing arrangement for the Board?
- A. Does the Board have adequate staff support?
 - B. Do you relate primarily to Board staff or do you usually relate to Board members directly?
 - C. How satisfactory is this arrangement?
26. In your experience, how frequently do natural parents attend review meetings?
- A. Does the agency put much effort into persuading them to attend? If YES, describe. If NO, why not?
27. Have you had any feedback about how natural parents have reacted to review?
- A. If YES, describe.
28. In your experience, how frequently do foster children attend these meetings?
- A. Does the agency put much effort into persuading them to attend? If YES, describe. If NO, why not?
29. At what age do you think that it is appropriate for foster children to attend review meetings?
- A. Along with age, are there other considerations which should be taken into account for having foster children attend review meetings?
30. Have you had any feedback about how foster children have reacted to review:
- A. If YES, describe.

31. In your experience, how frequently do foster parents attend review meetings:
- A. Does the agency put much effort into persuading them to attend? If YES, describe. If NO, why not?
32. Have you had any feedback about how foster parents have reacted to review?
- A. If YES, describe.
33. What kinds of cases do you have difficulty in justifying a long term goal of return home to the Board?
34. When you establish time frames, what typically goes into your thinking?
35. For a new case, can you justify taking a year to return a child to the home?
- A. Has this been an issue with the Board?
36. For backlog cases, can you justify taking a year to return a child home?
- A. Has this been an issue with the Board?
37. What kind of justification should the agency give for selecting a foster family?
- A. Has this been an issue with the Board?
- Do you have difficulty recruiting foster families:
38. What importance do you place on having a foster family have the same religion as the child?
- A. Has this been an issue for the Board?
39. Do you think that foster children should be returned home only if the natural parents can provide as good a home environment as the foster parents?
- A. Do you and the Board agree?
40. Do you think it is usually better to have children stay with relatives than with foster parents?
- A. Do you and the Board agree?

41. What kinds of cases do you have difficulty in justifying a long term goal of adoption?
42. When you establish time frames for a long term goal of adoption, what typically goes into your thinking?
43. Can you justify a year to make a decision to terminate parental rights?
 - A. Has this been an issue with the Board?
44. Do you think that children should be transferred to an adoptive home if the foster parents do not wish to adopt?
 - A. Do you and the Board agree on this?
45. What kinds of cases do you have difficulty in justifying a long term goal of long term foster care?
 - A. Has this been an issue with the Board?
46. What kinds of cases do you have difficulty in justifying a long term goal of independent living?
 - A. At what age should independent living be considered?
 - B. Aside from age, are there other considerations which must be taken into account in planning independent living? Do you and the Board agree on this?
 - C. Should a foster child be enrolled in an educational program as a condition for independent living? Do you and the Board agree on this?
 - D. Should a foster child be earning some income as a condition for independent living? Has this been an issue with the Board?
47. What kinds of cases do you have difficulty in justifying a long term goal of institutionalization?
 - A. Has this been an issue with the Board?
48. What kinds of cases do you have difficulty in justifying short term goals of residential placement?
 - A. Has this been an issue with the Board?
 - B. Do you think the Board goes overboard in favoring residential placement?

49. What kinds of services should be available to families whose children are in residential placement?
- A. When these services are not available, using the facility?
50. What kinds of services should be available to children in residential placement?
- A. When these services are not available. Do you and the Board agree on using this facility?
51. How often has the Board disagreed with any long term goal submitted by the D.O.? If ever, what was the nature of some of these disagreements.
- A. Did you request a summary hearing? If YES, what was the outcome? If NO, how was the disagreement resolved?
52. How often has the Board disagreed with you about the type of service plan? If EVER, what was the basis for some of these disagreements.
- A. How were these disagreements usually resolved?
53. There are always positives and negatives to everything. What do you see as the major advantage of review?
- 53A. In your experience, how often do you think review has had a positive influence on a particular case?
54. What do you think is the major disadvantage with Child Placement Review?
- A. Do you have any recommendations for overcoming this advantage?
55. In your experience, how often have there been cases where you felt review had a negative influence on cases?
- A. Do you think that permanence has nay adverse consequences?
56. As you know, there is a great deal of interest in permanence planning. Do you think permanence is a realistic goal for all children?

APPENDIX C: COPIES OF FORMS USED BY DYFS WORKERS TO REPORT
CASES TO BOARDS

CHILD PLACEMENT REVIEW SUMMARY
INITIAL (45-day review)

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Court Ordered: Juvenile Delinquency: _____ JMS: _____ Protective Services: _____
Voluntary: _____

THE PURPOSE OF THIS REVIEW HAS BEEN EXPLAINED TO: CHILD: _____ CARETAKER: _____ PARENTS: _____

I. CHILD'S NAME:

DOB: _____ AGE: _____ SEX: _____
ETHNIC BACKGROUND: _____
RELIGION: _____
DATE OF PLACEMENT: _____

CASEWORKER'S NAME:

DOCKET # _____
DYFS CASE # _____
TYPE OF PLACEMENT: _____

CARETAKER:

ADDRESS: _____

PHONE: _____

PARENT/GUARDIAN:

ADDRESS: _____

PHONE: _____

RELIGION: _____

AGE: _____

OTHER PARENT:

ADDRESS: _____

PHONE: _____

RELIGION: _____

AGE: _____

FIRST TIME REFERRED TO AGENCY: _____

REASON & GOAL: _____

DURATION: _____

RESULT: _____

II. REASON FOR PRESENT PLACEMENT OUTSIDE OF HOME (BE SPECIFIC, I.E. USE EXAMPLES, DESCRIBE CONDITIONS OR BEHAVIOR. ATTACH ALL FORMAL EVALUATIONS AND REFERRAL SUMMARIES.)

III. PLANNING AND GOALS:

A. CASEWORK CONTRACT(S): YES: _____ (Attach) NO: _____

B. CASEWORKER'S SHORT-TERM GOALS:

CASEWORKER'S LONG-TERM GOALS:

1. GROUP CARE HOME
2. INSTITUTIONAL CARE
3. RESIDENTIAL FACILITY
4. CONTINUE FOSTER CARE
5. TERMINATION OF PARENTAL RIGHTS
6. OTHER (PLEASE EXPLAIN)

1. RETURN HOME
2. ADOPTION
3. INDEPENDENT LIVING
4. LONG-TERM FOSTER CARE
5. LONG-TERM INSTITUTIONALIZATION
6. OTHER (PLEASE EXPLAIN)

C. DESCRIBE STEPS TO IMPLEMENT GOALS INCLUDING TIME FRAMES:

D. PARENTAL RESPONSIBILITIES FOR IMPLEMENTATION OF PLAN:

E. CHILD'S RESPONSIBILITIES FOR IMPLEMENTATION OF PLAN:

F. CARETAKER'S RESPONSIBILITIES FOR IMPLEMENTATION OF PLAN:

G. BARRIERS TO MEETING SHORT AND LONG-TERM GOALS:

H. ARE ALL PARTIES INVOLVED AWARE OF THE PROPOSED PLAN? IF NOT, WHY NOT?

I. ADDITIONAL COMMENTS:

IV. CHILD IN PLACEMENT:

A. CHRONOLOGICAL HISTORY OF PREVIOUS PLACEMENTS (MOST RECENT FIRST):

PLACEMENT	TYPE	DATE	REASON FOR MOVE TO NEXT PLACEMENT

B. WHO HAS LEGAL CUSTODY OF CHILD? (INCLUDE DATE OBTAINED)

C. EDUCATIONAL STATUS:

1. CHILD CURRENTLY ATTENDING SCHOOL: YES: _____ GRADE: _____ NO: _____
IF NOT, PLEASE EXPLAIN:

2. LAST OR PRESENT SCHOOL:

3. SCHOOL ADJUSTMENT:

4. PROBLEM AREAS AND REMEDIAL HELP PROVIDED:

5. CHILD STUDY TEAM OR OTHER EVALUATIONS (PLEASE ATTACH):

6. CLASSIFICATION:

7. ACADEMIC OR VOCATIONAL GOALS:

8. EXTRA-CURRICULAR ACTIVITIES AND INTERESTS:

D. SUMMARIZE JUVENILE COURT INVOLVEMENT, IF KNOWN:

E. ARE THERE ANY KNOWN PHYSICAL PROBLEMS? NOTE DIAGNOSIS AND TREATMENT:

F. ARE THERE ANY KNOWN MENTAL HEALTH PROBLEMS? NOTE DIAGNOSIS AND TREATMENT:

G. DESCRIBE CHILD'S BEHAVIOR IN PRESENT PLACEMENT. IF APPLICABLE, COMPARE TO PRIOR BEHAVIOR IN PREVIOUS PLACEMENTS OR AT HOME:

H. DESCRIBE CHILD'S ATTITUDE TOWARD AND UNDERSTANDING OF PLACEMENT:

I. ADDITIONAL COMMENTS:

V. CHILD'S FAMILY

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A. FAMILY COMPOSITION:

1. SIBLINGS:

NAME	AGE	ADDRESS	TYPE OF PLACEMENT	RELATIONSHIP TO CHILD

2. PROVIDE RELEVANT INFORMATION REGARDING OTHERS IN HOME (INCLUDE TOTAL NUMBER IN HOME):

B. PROVIDE RELEVANT INFORMATION REGARDING LIVING CONDITIONS:

C. FAMILY STRENGTHS AND FAMILY DYSFUNCTIONS AS THEY RELATE TO ABILITY TO CARE FOR THE CHILD (LIST AGENCIES INVOLVED, DESCRIBE TREATMENT EFFORTS & RESULTS):

D. ATTITUDE AND REACTION OF CHILD'S FAMILY TOWARD PLACEMENT:

E. FREQUENCY AND CIRCUMSTANCES OF ON-GOING CONTACT BETWEEN CHILD AND FAMILY INCLUDING SIBLINGS:

F. ARE THERE ANY OTHER FAMILY MEMBERS WHO WOULD BE A SUITABLE PLACEMENT RESOURCE FOR THIS CHILD? IF SO, PLEASE EXPLAIN:

G. IF PARENTS ARE LISTED AS "WHEREABOUTS UNKNOWN", STATE EFFORTS MADE TO LOCATE THEM.

H. ADDITIONAL COMMENTS:

VI. FOSTER FAMILY:

A. WHY WAS THIS FOSTER FAMILY SELECTED? PROVIDE RELEVANT INFORMATION ABOUT THE FOSTER FAMILY AS IT RELATES TO THEIR ABILITY TO MEET THE NEEDS OF THE CHILD:

B. RELATIONSHIP BETWEEN FOSTER FAMILY AND CHILD:

C. RELATIONSHIP BETWEEN FOSTER FAMILY AND CHILD'S FAMILY:

D. IF APPLICABLE, HAS ADOPTION AND/OR SUBSIDIZED ADOPTION BEEN DISCUSSED?

E. WHAT IS RELIGION OF EACH FOSTER PARENT?

F. ADDITIONAL COMMENTS:

VII. RESIDENTIAL PLACEMENT:

A. WHY WAS THIS FACILITY SELECTED?

B. WHAT SERVICES DOES THE FACILITY OFFER TO THE CHILD?

C. WHAT SERVICES DOES THE FACILITY OFFER TO THE FAMILY?

D. ADDITIONAL COMMENTS:

VIII. AGENCY CONTACT:

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A. HOW LONG HAS CASEWORKER HAD THIS CASE?

B. WHAT SERVICES IS DYFS OFFERING TO THE FAMILY WHILE THE CHILD IS IN PLACEMENT?

C. DESCRIBE ANY DYFS INVOLVEMENT WITH OTHER FAMILY MEMBERS:

D. LIST OTHER INTERESTED PERSONS (INCLUDE ADDRESSES AND TELEPHONE NUMBERS):

CASEWORKER: _____ DATE COMPLETED: _____
(signature)

TELEPHONE NO: _____

SUPERVISOR: _____ DATE REVIEWED: _____
(signature)

TELEPHONE NO: _____

CHILD PLACEMENT PERIODIC REVIEW SUMMARY

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AUTHORITY FOR PLACEMENT

Court Ordered: Juvenile Delinquency:____ JINS:____ Protective Services:____

Voluntary:____ Other (Identify):____

THE PURPOSE OF THIS REVIEW HAS BEEN EXPLAINED TO: CHILD:____ CARETAKER:____ PARENTS:____

I. CHILD'S NAME:

CASEWORKER'S NAME:

AGE: DOB:

DISTRICT OFFICE:

DATE OF CURRENT PLACEMENT:

DOCKET #

CARETAKER: (If changed from last review)

DYFS CASE #

ADDRESS:

TYPE OF PLACEMENT:

PHONE:

HAS LEGAL CUSTODY OF CHILD CHANGED SINCE LAST REVIEW? YES____ NO____
IF YES, EXPLAIN HOW. INCLUDE DATE AND HOW OBTAINED.

PARENT/GUARDIAN:

OTHER PARENT:

ADDRESS:

ADDRESS:

PHONE:

PHONE:

II. IF CASEWORKER DIFFERS FROM LAST REVIEW, GIVE LENGTH OF TIME ON CASE:

LIST CHANGES IN PLACEMENT SINCE LAST REVIEW. INCLUDE DATES AND REASONS.

III. PLANNING AND GOALS:

A. NEW CASEWORK CONTRACT(S): YES: (Written, Attach Copy) NO:
 YES: (Verbal)

B. CASEWORKER'S PREVIOUS
SHORT-TERM GOAL:

1. Group Care Home
2. Institutional Care
3. Residential Facility
4. Continue Foster Care
5. Terminate Parent Rights
6. Other (Explain)

CASEWORKER'S PREVIOUS
LONG-TERM GOAL:

1. Return Home
2. Adoption
3. Independent Living
4. Long-Term Foster Care
5. Long-Term Institutionalization
6. Other (Explain)

CASEWORKER'S CURRENT
SHORT-TERM GOAL:

1. Group Care Home
2. Institutional Care
3. Residential Facility
4. Continue Foster Care
5. Terminate Parent Rights
6. Other (Explain)

CASEWORKER'S CURRENT
LONG-TERM GOAL:

1. Return Home
2. Adoption
3. Independent Living
4. Long-Term Foster Care
5. Long-Term Institutionalization
6. Other (Explain)

TIME FRAME :

C. WAS JUDGE'S FINAL ORDER IMPLEMENTED? IF NOT, WHY NOT?

D. WHAT STEPS WERE TAKEN BY DYFS, PARENTS, CHILD AND CARETAKER TO IMPLEMENT GOALS SINCE THE LAST REVIEW? INCLUDE TIME FRAMES.

E. BARRIERS TO THOSE GOALS:

F. DESCRIBE STEPS TO BE TAKEN TO IMPLEMENT CURRENT GOALS, INCLUDING TIME FRAMES, BY:

(1) DYFS (include visitation)

(2) PARENTS

(3) CHILD

(4) CARETAKER

G. BARRIERS TO THOSE GOALS:

H. ARE ALL PARTIES INVOLVED AWARE OF THE PROPOSED PLAN? YES ____ NO ____
IF NOT, WHY NOT?

V. CHILD IN PLACEMENT:

- A. PRESENT EDUCATIONAL STATUS. INCLUDE SCHOOL AND GRADE AND ANY ACADEMIC OR BEHAVIORAL CHANGES SINCE LAST REVIEW.
- B. DESCRIBE ANY RELEVANT CHANGES IN PHYSICAL OR MENTAL HEALTH SINCE LAST REVIEW.
- C. SUMMARIZE JUVENILE COURT INVOLVEMENT, IF ANY, SINCE LAST REVIEW.
- D. DESCRIBE CHILD'S BEHAVIOR AND ATTITUDES TOWARD PRESENT PLACEMENT SINCE LAST REVIEW.

- E. DESCRIBE SPECIAL SERVICES OR EVALUATIONS CHILD HAS RECEIVED IN PLACEMENT SINCE THE LAST REVIEW, E.G., COUNSELING, TUTORING, MEDICAL, ETC. PLEASE ATTACH DATED AND SIGNED RELEVANT REPORTS.

V. CHILD'S FAMILY:

- A. FREQUENCY AND TYPE OF CONTACT BETWEEN CHILD AND FAMILY, INCLUDING SIBLINGS, SINCE LAST REVIEW:

IF NONE OR INFREQUENT, WHY?

WHO INITIATED THE CONTACT?

- B. DESCRIBE THE REACTION OF CHILD, PARENTS AND CARETAKER TO VISITATION:

-

- C. DESCRIBE ANY CHANGES IN SITUATION OF CHILD'S FAMILY AND THEIR ATTITUDES TOWARDS PLACEMENT.

- D. DESCRIBE ANY CHANGES IN PHYSICAL OR MENTAL HEALTH SINCE LAST REVIEW.

- E. DESCRIBE SPECIAL SERVICES OR EVALUATIONS FAMILY HAS RECEIVED SINCE LAST REVIEW. PLEASE ATTACH DATED AND SIGNED RELEVANT REPORTS.

VI. FOSTER FAMILY:

- A. DESCRIBE ANY CHANGES IN SITUATION OF CARETAKER(S) AND THEIR ATTITUDES TOWARDS PLACEMENT, SINCE LAST REVIEW.

- B. IF RESIDENTIAL PLACEMENT OR GROUP HOME, ATTACH MOST RECENT REPORTS.
- C. IF APPLICABLE, HAS ADOPTION AND/OR SUBSIDIZED ADOPTION BEEN DISCUSSED WITH FOSTER PARENTS____, NATURAL PARENTS____, CHILD____? PLEASE EXPLAIN.

VII. AGENCY CONTACT:

- A. FREQUENCY AND TYPE OF CONTACT BETWEEN DYFS AND CHILD'S FAMILY, INCLUDING CHILD:
- B. IF THERE HAS BEEN NO CONTACT, WHY NOT?
- C. FREQUENCY AND TYPE OF CONTACT BETWEEN DYFS AND CARETAKER.
- D. IF THERE HAS BEEN NO CONTACT, WHY NOT?
- E. LIST ADDITIONAL OTHER INTERESTED PERSONS AND/OR AGENCIES SINCE LAST REVIEW: (INCLUDE ADDRESSES AND TELEPHONE NUMBERS)

VIII. ADDITIONAL COMMENTS:

CASEWORKER: _____ DATE COMPLETED: _____
 (Signature)

TELEPHONE #: _____

SUPERVISOR: _____ DATE REVIEWED BY SUPERVISOR: _____
 (Name)

 (Signature) TELEPHONE #/SUPERVISOR: _____

APPENDIX D: COPY OF SENATE BILL 744

SENATE, No. 774

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1982

By Senators ORECHIO, CODEY, DiFRANCESCO, HAGEDORN
and CAUFIELD

(Without Reference)

AN ACT to amend and supplement the "Child Placement Review
Act," approved February 27, 1978 (P. L. 1977, c. 424) and mak-
ing an appropriation therefor.

1 *BE IT ENACTED by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 3 of P. L. 1977, c. 424 (C. 30:4C-52) is amended to
2 read as follows:

3 3. As used in this act, unless the context indicates otherwise:

4 a. "Child" means any person less than 18 years of age;

5 b. "Child placed outside his home" means a child under the care,
6 custody or guardianship of the division who resides in a foster
7 home, group home **[or]**, residential treatment facility, *county*
8 *shelter for the care of abused or neglected children or juveniles*
9 *in need of supervision, or independent living arrangement* operated
10 by or approved for payment by the division, *or a child who has*
11 *been placed by the division in the home of a person who is not*
12 *related to the child and does not receive any payment for the care*
13 *of the child from the division;*

14 c. "County of supervision" means the county in which the
15 division has established responsibility for supervision of the child;

16 d. "Division" means the Division of Youth and Family Services
17 in the Department of Human Services;

18 e. "Temporary caretaker" means a foster parent as defined in
19 section 1 of P. L. 1962, c. 136 (C. 30:4C-26.4) or a director of a
20 group home or residential treatment facility.

1 2. Section 8 of P. L. 1977, c. 424 (C. 30:4C-57) is amended to
2 read as follows:

3 8. The assignment judge in each county shall establish as an
4 arm of each juvenile and domestic relations court one or more

EXPLANATION—Matter enclosed in bold-faced brackets **[thus]** in the above bill
is not enacted and is intended to be omitted in the law.

5 child placement review boards. The number of review boards in
 6 each county shall ~~not exceed the number of juvenile and domestic~~
 7 ~~relations judges authorized for the county]~~ *be based on the number*
 8 *of reviews conducted in the previous calendar year so that where*
 9 *practicable, there shall be at least one review board for each 200*
 10 *reviews.* Each board shall consist of five members to be appointed
 11 by the judge from among the residents of such county. *The judge*
 12 *also may appoint to each board up to two alternate members who*
 13 *shall serve as regular members when a quorum of regular members*
 14 *is not present.* Each member shall be a person who has either
 15 training, experience or interest in issues concerning child placement
 16 or child development. Each board shall, to the maximum extent
 17 feasible, represent the various socioeconomic, racial and ethnic
 18 groups of the county in which it serves. The judge shall annually
 19 select one of the *regular* members of the board as chairperson.

20 Members shall be appointed for terms of 3 years, except that
 21 of those initially appointed, one shall be for a term of 1 year, two
 22 for terms of 2 years, and two for terms of 3 years. Members shall
 23 serve after the expiration of their terms until their respective
 24 successors shall have been appointed. Vacancies shall be filled
 25 for the duration of the unexpired terms. Members shall serve
 26 without compensation but shall be reimbursed for such reasonable
 27 and necessary expenses incurred in the performance of their official
 28 duties. The governing body of the county in which the board
 29 serves may, at its discretion, provide for reimbursement to review
 30 board members for such additional and reasonable expenses as
 31 the governing body may determine.

32 *In accordance with guidelines and procedures established by the*
 33 *Supreme Court, members shall attend initial training sessions*
 34 *within 6 months of their appointment and any other training ses-*
 35 *sions required by the court.*

36 Each board shall meet at such times as it shall determine. Each
 37 juvenile and domestic relations court shall provide its board with
 38 reasonable and necessary *administrative and clerical* support
 39 services. *These services shall include obtaining and reviewing*
 40 *information requested by the board, preparing and dispatching all*
 41 *notices and reports required under P. L. 1977, c. 424 (C. 30:4C-50*
 42 *et seq.), arranging for board meetings and maintaining a perma-*
 43 *nent record of all board proceedings, collecting statistical data and*
 44 *serving as a liaison to the division.*

1 3. Section 9 of P. L. 1977, c. 424 (C. 30:4C-58) is amended to
 2 read as follows:

3 9. Each board shall act on behalf of the juvenile and domestic

4 relations court in reviewing the case of every child placed outside
 5 his home pursuant to a voluntary agreement to determine whether
 6 the best interests of the child are being served by such placement.
 7 Such a review shall be initiated within 45 days following the initial
 8 placement and completed within 15 days thereafter. A periodic
 9 review shall take place at least every 12 months thereafter.

10 Each board shall also act on behalf of the juvenile and domestic
 11 relations court in reviewing the case of each child placed outside
 12 his home by the division in accordance with a court order pursuant
 13 to P. L. 1974, c. 119, s. 34 (C. 9:6-8.54) (C. 9:6-8.21 et seq.),
 14 P. L. 1951, c. 138, s. 12 (C. 30:4C-12), P. L. 1973, c. 306, s. 21 (C.
 15 2A:4-61) or P. L. 1973, c. 306, s. 22 (C. 2A:4-62). Such a review
 16 shall be initiated upon receipt by the board of the placement plan,
 17 which shall be submitted by the division within 45 days of the
 18 initial court order. The board's review shall be completed within
 19 15 days of receipt of the plan. A periodic review shall take place
 20 at least every 12 months thereafter.

21 *Notwithstanding the provisions of section 3 of P. L. 1977, c. 424*
 22 *(C. 30:4C-52) to the contrary, if a child placed outside his home*
 23 *attains 18 years of age or older and his home placement costs are*
 24 *being paid by the division, the board shall continue to conduct*
 25 *periodic reviews until the division terminates supervision of the*
 26 *person.*

27 All such reviews shall include, but not necessarily be limited to,
 28 the consideration and evaluation of such matters as:

29 a. The appropriateness of the goal and objectives of the place-
 30 ment plan;

31 b. The appropriateness of the services provided to the child,
 32 the parents or legal guardian and the temporary caretaker;

33 c. Whether the child has siblings who are also placed outside
 34 of their home;

35 d. Whether the wishes of the child were considered regarding
 36 placement and development of the placement plan, when appro-
 37 priate;

38 e. Whether the division, the parents or legal guardian and the
 39 temporary caretaker are fulfilling their respective responsibilities
 40 in accordance with the placement plan;

41 f. Whether the parents or legal guardian have been afforded the
 42 opportunity and been encouraged to participate in a program of
 43 regular visitation with the child;

44 g. Whether there are obstacles which hinder or prevent the
 45 attainment of the placement plan objectives and goal; and

46 h. The circumstances surrounding the placement.

47 In the case of a child in placement outside of his home on the
 48 effective date of this act, the first review shall be completed as
 49 soon as possible, but not later than 12 months following such
 50 effective date.

1 4. Section 10 of P. L. 1977, c. 424 (C. 30:4C-59) is amended to
 2 read as follows:

3 10. Each board shall provide written notice of the date, time
 4 and place of each review at least 15 days in advance to the follow-
 5 ing, each of whom shall be entitled to submit information in writing
 6 to the board:

7 a. The division;

8 b. The child;

9 c. The parents or legal guardian; [and]

10 d. *The temporary caretaker; and*

11 [d.] e. Any other person or agency whom the board determines
 12 has an interest in or information relating to the welfare of the
 13 child[, which may include the temporary caretaker].

13A *The written notice shall inform the person of his right to attend*
 13B *the review and shall be prepared in a manner which will encourage*
 13C *the person's attendance at the review.*

14 *Notice to the child may be waived by the board on a case by*
 15 *case basis either on its own motion or on the petition of any of*
 16 *the above persons in cases where the board determines that notice*
 17 *would be harmful to the child. When notice is waived, the board*
 17A *shall inform the court of this action in its report to the court.*

18 The board shall conduct a review and make recommendations
 19 based upon the written materials; provided, however, that the
 20 board may afford any party or person an opportunity to appear
 21 before it if the board feels that such an appearance will assist it
 22 in conducting its review or making its recommendations. *Upon*
 23 *the request of the board, the juvenile and domestic relations court*
 24 *may subpoena a person to attend the review board meeting.*

1 5. Section 11 of P. L. 1977, c. 424 (C. 30:4C-60) is amended to
 2 read as follows:

3 11. Within 10 days after the completion of such review, the board
 4 shall submit a written report to the juvenile and domestic rela-
 5 tions court and the division. Such report shall offer one of the
 6 following findings, stating the specific reasons therefor:

7 a. That return of the child to his parent or legal guardian is in
 8 the child's best interest;

9 b. That continued placement outside of the home is in the child's
 10 best interest and that the placement plan *satisfies the criteria pro-*

11 *vided in section 9 of P. L. 1977, c. 424 (C. 30:4C-58) and is appro-*
 12 *prate for the child's needs;*

13 c. That continued placement outside of the home is in the child's
 14 best interest, but that the placement plan *does not satisfy the*
 15 *criteria provided in section 9 of P. L. 1977, c. 424 (C. 30:4C-58) and*
 16 *is not appropriate for the child's needs;*

17 d. That the initiation of proceedings for the termination of
 18 parental rights in order to free the child for adoption is in the
 19 child's best interest.

20 *In addition to the finding, the board shall state the reasons and*
 21 *additional factors it deems appropriate to explain its conclusions.*
 22 *When any change in the plan or situation of the child is recom-*
 23 *mended, the board shall state its specific recommendations and the*
 24 *factual basis therefor.*

1 6. Section 12 of P. L. 1977, c. 424 (C. 30:4C-61) is amended to
 2 read as follows:

3 12. a. Upon review of the board's report, the juvenile and
 4 domestic relations court shall issue an order concerning the child's
 5 placement which it deems will best serve the interests of the child.
 6 The court shall either:

7 (1) Order the return of the child to his parents or legal guardian;

8 (2) Order continued placement in accordance with the placement
 9 plan currently in effect;

10 (3) Order continued placement in accordance with a new place-
 11 ment plan to be developed by the division *within 30 days* and
 12 *[approved by the court] submitted to the court for approval.*
 13 *The plan shall be reviewed by the board within 30 days; or*

14 (4) Order continued placement and recommend that the division
 15 initiate proceedings to terminate parental rights in order to free
 16 the child for adoption.

17 b. In reviewing the report, the court may request that, where
 18 available, any written or oral information submitted to the board
 19 be provided to the court. The court shall make a determination
 20 based upon the report and any other information before it; pro-
 21 vided, however, that if:

22 (1) The court has before it conflicting statements of material
 23 fact which it cannot resolve without a hearing; or

24 (2) A party entitled to participate in the proceedings requests
 25 a hearing; or

26 (3) The court concludes that the interest of justice require that
 27 a hearing be held;
 28 the court may schedule a summary hearing.

29 c. Notice of such hearing, including a statement of the disposi-

30 tional alternatives of the court, shall be provided at least 30 days in
 31 advance to the following ~~parties, each of whom shall be entitled~~
 32 to participate in the proceeding] *persons*:

- 33 (1) The division;
- 34 (2) The child;
- 35 (3) The child's parents or legal guardian~~]~~;
- 36 (4) *The review board; and*
- 37 (5) *The temporary caretaker.*

37A *The division, child, child's parents or legal guardian and review*
 37B *board shall be entitled to participate in the proceeding.*

38 The court may also request additional information from any
 39 other persons or agencies which the court determines has an
 40 interest in or information relating to the welfare of the child~~],~~
 41 which may include the temporary caretaker] *which may include*
 41A *the temporary caretaker.*

42 *d. The court shall send a copy of its order concerning the child's*
 43 *placement to all persons listed in subsection c. of this section ex-*
 44 *cept that, if notice to the child of the board review was waived*
 45 *pursuant to section 10 of P. L. 1977, c. 424 (C. 30:4C-59), the court*
 46 *may waive the requirement of sending a copy of its order to the*
 47 *child.*

48 *e. Any person who receives a copy of the court order shall*
 49 *comply with the confidentiality requirements established by the*
 50 *Supreme Court for the purposes of this act.*

1 7. Section 13 of P. L. 1977, c. 424 (C. 30:4C-62) is amended to
 2 read as follows:

3 13. There is hereby established a Child Placement Advisory
 4 Council to consist of one member from each of the child placement
 5-6 review boards to be selected annually by the chairman of each
 7 review board. The Administrative Office of the Courts shall provide
 8 the council with reasonable and necessary *administrative and*
 9 *clerical support services and shall reimburse the members of the*
 10 *council for reasonable and necessary expenses incurred in the*
 11 *performance of their official duties. It shall be the responsibility*
 12 *of the council to:*

13 a. Advise the Supreme Court with respect to the issuance of
 14 rules governing the duties, responsibilities and practices of the
 15 review boards;

16 b. Review the policies, practices and procedures of the division
 17 with respect to the placement of children;

18 c. Monitor and evaluate the effectiveness of this act in promoting
 19 the welfare of children placed outside their home. *These activities*
 20 *may be carried out through the regular collection of data from each*
 21 *county as well as through other appropriate means;*

22 d. Advise the Supreme Court with respect to the establishment
23 of guidelines and procedures for the training of placement review
24 board members;

25 e. Advise the Supreme Court with respect to the establishment
26 of reporting procedures to be followed by the review boards for
27 the provision of data for the evaluation of this act;

28 f. Make an annual report on the effectiveness of the implementa-
29 tion of this act to the Supreme Court, the Governor and the Legis-
30 lature and such other reports as it may deem proper or as may
31 be requested from time to time by the Supreme Court, the Gov-
32 ernor or the Legislature.

1 8. Section 18 of P. L. 1977, c. 424 is amended to read as follows:

2 18. This act shall take effect 120 days following enactment, but
3 administrative actions or appointments necessary to effectuate its
4 purposes may be taken immediately, and s' all expire on June 30
5 following the third anniversary of the effective date].

1 9. (New section) The Child Placement Advisory Council may
2 accept from any governmental department or agency, public or
3 private body or any other source, grants or contributions to be
4 used for carrying out its responsibilities under P. L. 1977, c. 424
5 (C. 30:4C-50 et seq.).

1 10. (New section) When a child is placed in a home for the
2 purpose of adoption, the division shall notify the county juvenile
3 and domestic relations court in writing of the placement. Upon
4 receipt of the notice, the board shall not schedule further reviews
5 of the case unless:

6 a. The child is removed from the adoptive home;

7 b. The complaint for adoption was not filed within 8 months of
8 the placement and the filing of the complaint is not imminent; or

9 c. The plan for the child was modified so that immediate adoption
10 by the stated adoptive parents no longer is the goal.

11 The division shall send the court and the board a status report
12 on the case every 4 months. When a complaint for adoption has
13 been filed, the division shall inform the court and no further board
14 reviews shall be held while that action is pending. Upon notice
15 that a judgment of adoption has been entered in Superior Court,
16 the juvenile and domestic relations court shall dismiss the complaint
17 pursuant to section 4 of P. L. 1977, c. 424 (C. 30:4C-53).

1 11. There is appropriated \$50,000.00 to effectuate the purposes
2 of this act.

1 12. This act shall take effect immediately.

STATEMENT

The Child Placement Review Act was enacted in 1977 to establish a system of administrative and judicial review of children placed outside of their homes by the State Division of Youth and Family Services. The purpose of the review is to ensure appropriate placement and planning which is in the best interests of the child.

When the bill was enacted it was not known whether all of its provisions would be beneficial for children in placement; therefore, the act was given an expiration date of June 30, 1982 and the Joint Institutions, Health and Welfare Committee and the Child Placement Advisory Council (created by the act) were charged with the responsibility of reviewing implementation and recommending to the Legislature whether the act should be extended in its present or an amended form, or whether it should be permitted to expire.

This bill is based on the recommendations of the Advisory Council which has carefully monitored implementation of the act. The bill extends the act indefinitely and amends various sections of the act to improve the functioning and strengthen the role of the review boards and the Advisory Council. The bill makes the following major changes in the law:

1. The number of review boards in each county shall be based on the number of reviews conducted in the county rather than the number of judges in the county (section 2);

2. The Juvenile and Domestic Relations Court in each county and the Administrative Office of the Courts shall be required to provide administrative support services, as well as clerical support, to the county review boards and Advisory Council, respectively (sections 2 and 7); and

3. The review board is given the authority to waive the requirement to notify a child of a review if it determines that it would not be in the child's best interests to be notified (section 4).

Other amendments provide that: children subject to review shall include those in county shelters and independent living arrangements; the assignment judge in each county may appoint up to two alternate members to each review board; review board members shall attend initial training sessions within 6 months of their appointment to the board; the division shall submit its placement plan to the board within 45 days of the initial court order; the review board shall continue to review cases of persons over 18 years of age who are still under the division's supervision; upon the request of the board, the court may require persons to attend

a review board meeting; the review board shall find that a placement plan is not appropriate when the criteria listed in section 9 of the law are not satisfied; the division shall prepare a new placement plan within 30 days when the court orders continued placement with a new plan; the court shall notify and permit the attendance of review board members at court hearings; the Administrative Office of the Courts shall reimburse Advisory Council members for expenses; the role of the Advisory Council with respect to monitoring the effectiveness of the act shall include regular collection of data from counties; the Advisory Council may accept grants or contributions from public or private sources to carry out its responsibilities under the act; and specific time frames shall apply to actions of the review board and the Division of Youth and Family Services when a child is placed in a home for the purpose of adoption.
